

STATE MEDICAL ASSOCIATIONS

CALIFORNIA MEDICAL ASSOCIATION

WILLIAM H. KIGER.....President
MORTON R. GIBBONS.....President-Elect
EDWARD M. PALLETTE.....Vice-President
EMMA W. POPE.....Secretary

PROPOSED REVISION OF CONSTITUTION AND BY-LAWS OF THE CALIFORNIA MEDICAL ASSOCIATION

Draft I.—Committee Report on Revision

The following draft was submitted on May 5, 1927, at the Fifty-Seventh Annual Session, Sacramento, by the special committee on revision:

GEORGE H. KRESS, *General Chairman.*
GEORGE REINLE, *Sub-Chairman, Northern Section.*
W. T. MCARTHUR, *Sub-Chairman, Southern Section.*
CHARLES L. CURTISS, *Sub-Chairman General Section.*

NOTE: The word item and a number is inserted before each section, for convenience of reference. These item notations are not a part of this Constitution and By-Laws.

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CONSTITUTION

ARTICLE I.—TITLE AND DEFINITION

(Item 1.)

Section 1.—Title

The name and title of this organization is the California Medical Association; it is a federacy of its component county societies.

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ARTICLE II.—PURPOSES AND GENERAL ORGANIZATION

(Item 2.)

Section 1.—Purposes

The purposes of this Association are to promote the science and art of medicine, the protection of public health, and the betterment of the medicinal profession; to promote similar interests of its component county societies; and to unite with similar organizations in other states and territories of the United States to form the American Medical Association.

(Item 3.)

Section 2.—State Organization

This Association, as a state unit of the American Medical Association, and as the state expression of the component county medical societies of California, shall have three major divisions: one, the Association as a whole, as when it meets in general session; two, the Scientific Assembly and its subordinate or related bodies, and, three, the House of Delegates and its subordinate or related bodies.

These shall each function, as otherwise provided herein.

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ARTICLE III.—COMPONENT SOCIETIES

(Item 4.)

Section 1.—Component Societies to Be Chartered

Component Societies shall consist of those county medical societies which hold charters from the Association.

(Item 5.)

Section 2.—Names of County Societies, and Geographical Scope

The terms county medical society and component county medical society or constituent county medical society shall be deemed to include all county medical societies in affiliation with this Association, or

which may hereafter be organized and chartered by authority of the House of Delegates of this Association. Only one county society can be chartered for any one county.

(Item 6.)

Section 3.—County Society Including More Than One County

When in the judgment of the proper authorities of this Association it is deemed to be to the best interests of this Association, a charter may be granted to a component society comprising two or more counties.

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ARTICLE IV.—MEMBERSHIP

(Item 7.)

Section 1.—Kinds of Members

The members of the Association shall consist of the following:

(a) Active Members

Qualifications of Active Members.—Active members shall comprise all active members of all the component societies. No person shall be eligible for election to active membership in a component society unless he shall hold the degree of doctor of medicine issued to him by an institution of learning accredited at the time of conferring such degree by the American Medical Association or the Association of American Medical Colleges. He must also hold an unrevoked license to practice medicine and surgery in the State of California.

Rights of Active Members.—An active member shall have the right of suffrage and all other rights and privileges of the Association.

(b) Associate Members

Associate Members; How Elected.—Associate members shall be elected by the Council upon the recommendation of the component society of the county in which the associate member resides, from those doctors of medicine engaged in teaching or research work, or holding positions in federal services or otherwise, who are not licensed to practice medicine and surgery in the State of California and hence are ineligible to active membership.

Obligations and Rights of Associate Members.—These members shall have all the rights and privileges of active members except the right to vote or hold office. The dues of associate members shall be one-half of the dues of active members; and their dues to their respective component societies (when such associate members are admitted to membership therein) shall be fixed by such component societies.

(c) Retired Members

Retired Members; How Elected.—Retired members of the California Medical Association shall be elected by the Council on the recommendation of the component societies of the counties of which the retired members are members, from those active members who cease the practice of medicine for any reason, and who shall have been active members of the Association for ten years or more prior thereto.

Obligations and Rights of Retired Members.—Retired members shall pay such dues as from time to time the Council shall fix.

Retired members shall be entitled to receive the monthly publication of the Association at such rate as the Council from time to time may determine.

Retired members shall not have the right to vote or to hold office in this Association.

(d) Honorary Members

Qualifications.—The House of Delegates on recommendation by the Council may elect as honorary

members any persons distinguished for their services or attainments as doctors of medicine or in the field of public health, or for research or other scientific work contributing to medicine.

Obligations and Rights of Honorary Members.—Honorary members shall not pay dues, and shall not be eligible to office.

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ARTICLE V.—HOUSE OF DELEGATES

(Item 8.)

Section 1.—Composition of House of Delegates

The House of Delegates shall consist of:

(1) Delegates elected by the component county societies; and

(2) The officers of the Association enumerated in Section 1 of Article IX of this Constitution. (These latter shall be ex-officio members of the House of Delegates, with all the rights of delegates.)

(Item 9.)

Section 2.—Legislative Functions of House of Delegates

The House of Delegates shall be the legislative body of the Association.

Election of Officers by the House of Delegates

It shall at the regular annual meetings thereof elect the President-Elect, the Speaker and the Vice-Speaker of the House of Delegates.

In accordance with the Constitution and By-Laws of the American Medical Association it shall elect the Delegates of the Association to the House of Delegates of the American Medical Association.

(Item 10.)

Section 3.—Issuance and Revocation of Charters

It shall issue component society charters to county medical societies which it deems and finds eligible therefor, and may, after notice to any competent society and due and proper hearing, revoke any such charter for cause.

(Item 11.)

Section 4.—Sessions Open to Members

All sessions of the House of Delegates, other than executive sessions thereof, shall be open to all members of the Association.

(Item 12.)

Section 5.—Formation of Councilor Districts

From time to time, but at least once in every ten years, upon recommendation of the Council or on its own initiative, the House of Delegates shall form and group or re-group the component societies into the stipulated number of Councilor Districts.

(Item 13.)

Section 6.—Division of Scientific Work

The House of Delegates, upon recommendation from the Council or on its own initiative, shall provide for the division of the scientific work of this Association into appropriate sections.

(Item 14.)

Section 7.—Maximum Number of Councilors at Large From One District

The House of Delegates shall not elect more than two councilors at large from any one councilor district.

(Item 15.)

Section 8.—Other Duties

The House of Delegates shall perform also such other duties as are specified in this Constitution and By-Laws.

(Item 16.)

Section 9.—Numbers of Delegates and Alternates

One alternate delegate eligible to service if any delegate of the delegation of a component county

society is disqualified or fails to attend the meeting, shall be elected for each delegate.

Terms of Delegates and Alternates: One Half Elected Each Year

Delegates and alternates shall be elected by the several component county societies respectively for a term of two years; one-half of the delegates and alternates representing each county society as near as may be shall be elected each year.

(Item 17.)

Section 10.—Qualifications of Delegates

Every delegate and alternate must be in good standing as an active member of the Association and of his component society, and have been such at least two years immediately preceding his election.

(Item 18.)

Section 11.—Reseating of Delegate in Lieu of Alternate

When an alternate is seated, the Secretary shall record him as having been seated for a specific delegate who is absent. If the delegate so absent later appears, he can be seated in lieu of the alternate, if the alternate announces the presence of the delegate in whose place he is serving, and the House of Delegates sanctions the retirement of the alternate as an acting delegate.

(Item 19.)

Section 12.—Seating in Lieu of an Absent Delegate and His Alternate

If a delegate be absent, and no alternate be present to take his seat, then, with the sanction of the House of Delegates, some other member of the respective county unit may be seated to fill such vacancy.

(Item 20.)

Section 13.—Basis of Representation of Component Societies

Each component society shall be entitled to be represented by one delegate and one corresponding alternate for every fifty members thereof, and also by one delegate and one corresponding alternate for each major fraction of fifty members thereof as of the first day of November of the year preceding a current annual session.

Every component county society even though it have less than the major fraction of fifty members, shall be represented by at least one delegate, with the usual provision for an alternate.

(Item 21.)

Section 14.—Councilor District Societies

The House of Delegates, upon recommendation of the Council or on its own initiative, may provide for the organization of such Councilor District Societies as will promote the best interests of the profession, such Councilor District Societies to be composed exclusively of members of component county societies.

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ARTICLE VI.—COUNCIL

(Item 22.)

Section 1.—The Council

The Council shall consist of the Councilors, and ex-officio: the President, the President-Elect, the Retiring President, and the Speaker of the House of Delegates, each with all the rights of a Councilor.

The Secretary-Treasurer and the Editor shall also be ex-officio members of the Council, as otherwise provided.

Election

The nine district councilors shall be elected as follows: At some time prior to the first meeting of the House of Delegates, the delegates of each councilor district for which a councilorship is about to become

vacant, shall meet, organize and in due form elect one or more members of the said councilor district, as a nominee or nominees for the said vacancy in such councilor district. Such nomination or nominations shall be submitted in writing, signed by at least two delegates who were present at such meeting, and shall be given to the Secretary-Treasurer, by him to be transmitted to the House of Delegates. The House of Delegates may make additional nominations, and in the event that the delegates from a councilor district fail to submit a nomination or nominations, shall on its own account proceed to make nominations for each district councilor vacancy; and a vote shall then be taken by the House of Delegates to determine who shall be elected for the vacant councilorship.

All councilors-at-large shall be elected one by one from nominations made on the floor of the House of Delegates.

(Item 23.)

Section 2.—Organization

At the first meeting of the Council held after the adjournment of the last meeting of the House of Delegates at the regular annual session of the Association, the Council shall organize by the election of one of the Councilors as Chairman of the Council who shall serve as such up to the first Council meeting held after the adjournment of the last meeting of the House of Delegates of the next succeeding regular annual session of the Association; and also a Vice-Chairman who shall hold office in similar term, and who, in the absence of the Chairman, shall perform the duties of the Chairman.

The Secretary-Treasurer of the Association shall serve as the Secretary of the Council.

(Item 24.)

Section 3.—Quorum

Nine councilors shall constitute a quorum.

(Item 25.)

Section 4.—Acts as Board of Trustees

The Council shall be the Board of Trustees of this Association, in so far as in that function it shall not conflict with the prior rights of the corporate body of this Association, in case it any time should be incorporated, after one of the methods permitted by the State of California.

(Item 26.)

Section 5.—General Powers and Functions

The Council shall have the full authority and power of the House of Delegates between annual sessions, unless the House of Delegates shall be called into session as provided in the Constitution and By-Laws.

Subject only to provisions of this Constitution and By-Laws and all resolutions and enactments of the House of Delegates, the Council shall be vested with full and complete power and authority to manage, control, use, invest, reinvest, lease, make contracts in respect of, and concerning, convey, give, grant, transfer or otherwise dispose of all property and assets of whatever kind or nature owned by the Association and shall also be vested with full and complete power and authority to do and perform all acts and to transact all business for and on behalf of the Association and to manage and conduct all the work and activities of the Association in carrying out the purposes thereof.

Budget Report.—Through its chairman, as otherwise provided, it shall submit a budget for the ensuing year to the House of Delegates.

Annual Report.—It shall make a report of its proceedings to the House of Delegates at the first meeting of the House at each annual session of the Association.

(Item 27.)

Section 6.—Auditing Committee

The chairman of the Council, subject to its approval, shall appoint an auditing committee of

three members, designating one of the members as its chairman.

The Auditing Committee shall inspect all bills against the Association, and no bill shall be paid except upon voucher or draft having the approval of at least two of the three members of the auditing committee; provided, that all bills not having the sanction of the three members of the auditing committee shall be referred to the Executive Committee, the latter committee to have authority to take such action in regard thereto as in its judgment seems best.

(Item 28.)

Section 7.—Preparation of Budget—Annual Assessment

The Auditing Committee, prior to December 1 of any year, shall submit to the Executive Committee, for consideration at its December meeting, a budget under which the Association shall work in the fiscal year following the next annual session.

The Executive Committee, after consideration of the Auditing Committee's proposed budget, shall submit the same to the Council, prior to the Spring meeting of the Council, with a report of its own containing suggested changes, additions, or comments.

The Council in turn shall consider the two proposed budgets so submitted, and shall then make a final draft of a proposed budget for the Association, to be submitted to the House of Delegates at the next annual session.

The Council shall recommend to the House of Delegates the amount of the annual dues or assessments of each member of the Association.

(Item 29.)

Section 8.—Executive Committee of the Council

The Executive Committee of the Council shall consist of the President, the President-Elect, the Speaker of the House of Delegates, the Chairman of the Council, the Chairman of the Auditing Committee, the Secretary-Treasurer and the Editor.

Officers

The Executive Committee shall elect its own chairman. The Secretary-Treasurer of the Association shall act as the secretary thereof.

Quorum

Four members shall constitute a quorum.

Duties and Powers

The Executive Committee shall aid and assist the officers and the Council in the transaction of the business of the Association in the intervals between the meetings of the Council. It shall have such advisory powers and such other duties as the Council shall from time to time determine.

Records

It shall keep a record of its proceedings and report the same to the Council.

Approval of Council Necessary for Validation

All of its proceedings shall be subject to the approval of the Council.

(Item 30.)

Section 9.—Meetings and Powers of the Council

The Council shall hold such meetings and perform such other duties as are provided by the By-Laws or as the House of Delegates may by resolution prescribe.

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ARTICLE VII.—SCIENTIFIC ASSEMBLY

(Item 31.)

Section 1.—Objects

The Scientific Assembly of the California Medical Association is the convocation of its members for the presentation and discussion of subjects pertaining to the science and art of medicine.

(Item 32.)

Section 2.—Sections

The Scientific Assembly is divided into sections, each section representing that branch of medicine described in its title.

(Item 33.)

Section 3.—Creation of New Sections

New sections may be created or existing sections discontinued by the House of Delegates. The Scientific Assembly and its sections shall be conducted in accordance with the rules and regulations set forth in this Constitution and By-Laws, and with such other instructions and rules from either the House of Delegates or the Council as may not be in conflict therewith.

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ARTICLE VIII.—SESSIONS AND MEETINGS

(Item 34.)

Section 1.—Annual Sessions of the Association, of the House of Delegates and of the Scientific Assembly

The Association shall hold an annual session, during which there shall be at least two general meetings, open to all registered members, delegates, and guests.

At such annual session the House of Delegates and Scientific Assembly of the California Medical Association shall also meet.

(Item 35.)

Section 2.—Time and Place of Meetings

The time and place for holding each annual session shall be fixed by the Council, and due notice thereof shall be printed in the official publication of the Association.

(Item 36.)

Section 3.—Special Meetings; How Called; Notice Thereof

Special meetings of the Association may be called by a three-fourths vote of the House of Delegates or of the Council, and if so called shall be held at such time and place as the Council shall fix.

The Council shall cause written notice thereof stating the object of the meeting to be sent by United States mail, postage fully prepaid, to each active member of the Association, addressed to him at his office or place of residence as shown by the records of the Secretary's office, at least fifteen days prior to the date of meeting.

(Item 37.)

Section 4.—Regular Annual Sessions of House of Delegates

The House of Delegates shall hold a regular session annually consisting of at least two meetings, the second whereof shall not be convened until at least twenty-four hours shall have elapsed subsequent to the convening of the first meeting.

Place of Meeting

The regular annual session of the House of Delegates shall be held at the same place as the regular annual session of the Association, and the Council shall fix the times for the first two meetings.

Notice of Meeting

The same notice shall be given of such sessions and the meetings thereof as that prescribed for the regular annual sessions of the Association.

(Item 38.)

Section 5.—Special Sessions of House of Delegates

Special sessions of the House of Delegates may be called at any time by a two-thirds vote of the members of the Council at any regular or special meeting thereof or by written call stating the object of the meeting, filed with the Secretary in the office of the Association and signed by one-half or more of the members of the House of Delegates.

Time and Place of Meeting

Upon the filing of such call with the Secretary, the Council shall within thirty days thereafter fix the time and place for the holding of such special meeting and cause written notice thereof stating the object of the meeting to be sent by United States mail, postage fully prepaid, to each member of the House of delegates, addressed to him at his office or place of residence as shown by the records of the Secretary's office, at least fifteen days prior to the date of meeting.

(Item 39.)

Section 6.—Quorum of House of Delegates

Thirty-five members shall constitute a quorum of the House of Delegates.

All meetings shall be held within the State of California.

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ARTICLE IX.—OFFICERS

(Item 40.)

Section 1.—Officers

The officers of this Association shall be a President, a President-Elect, a Retiring President, a Secretary-Treasurer, a Speaker of the House of Delegates, a Vice-Speaker of the House of Delegates, an Editor, and fifteen Councilors (six of the fifteen Councilors being elected as at large, and nine from Councilor districts, as otherwise provided.)

(Item 41.)

Section 2.—President-Elect—When and How Elected; Term of Office

The House of Delegates at the regular annual session thereof shall elect the President-Elect to serve until the adjournment of the final meeting of the House of Delegates at its next regular annual session. At the conclusion of the final meeting of the House of Delegates at its next regular annual session, the Senior President-Elect shall assume the office of President, and serve as such for the term of one year thereafter, or until his successor is elected.

(Item 42.)

Section 3.—Speaker and Vice-Speaker of House; When Elected; Term of Office

The House of Delegates shall at the regular annual session thereof elect a Speaker of the House of Delegates and a Vice-Speaker of the House of Delegates, each to serve for the term of one year, or until their successors assume office.

(Item 43.)

Section 4.—Officers as Ex-Officio Members of Council

The President, President-Elect, Retiring President, and Speaker of the House of Delegates shall be ex-officio members of the Council, with all the rights of Councilors.

The Secretary-Treasurer and the Editor shall also be ex-officio members of the Council, but shall not have the right to vote; provided, that a Secretary-Treasurer or an Editor who is not a member of the Association, shall not be such ex-officio member of the Council.

(Item 44.)

Section 5.—Terms of Officers Other Than Councilors

The officers, except the Councilors, and except as otherwise provided, shall be elected annually.

(Item 45.)

Section 6.—Terms of Councilors

Each Councilor shall be elected for a term of three years.

(Item 46.)

Section 7.—Councilors to Be Elected in Different Years

Three District Councilors and two Councilors-at-Large shall be elected each year.

(Item 47.)**Section 8.—Councilors; Method of Election**

When Councilor positions become vacant, or when regular Councilor terms expire and necessitate an election, then such elections shall always be for specific councilorships, one by one, until all such emergency or regular vacancies shall have been filled.

(Item 48.)**Section 9.—Terms of Officers**

All officers shall serve until their successors are elected and installed either in person or by announcement.

(Item 49.)**Section 10.—Election of Councilors on Adoption of This Constitution**

Upon the adoption of this Constitution the House of Delegates shall proceed to elect Councilors in accordance with the provisions of this Constitution, as follows: At the annual meeting at which this Constitution is adopted, the Councilors of the First, Second and Third Districts and two Councilors at large shall be elected; in the succeeding year, the Councilors of the fourth, fifth and sixth districts and two Councilors at large shall be elected; and in the year succeeding, the Councilors of the seventh, eighth and ninth districts and two Councilors-at-large shall be elected; and so on in sequence in the years to follow.

Where there is a conflict with the above provisions, as regards the time of expiration of office of any Councilors holding office at the time this Constitution is adopted, then the terms of such Councilors holding office shall cease at such times so that the above provisions may become operative; and any lapses of continuity of office arising through the above provisions, shall be filled by the House of Delegates or the Council, as in the case of other vacancies.

When a component county society shall have more than fifteen hundred members, two of the Councilors-at-large shall be elected from its membership; the district Councilor from each such county, and the two said Councilors-at-large each being elected in different years in calendar sequence.

(Item 50.)**Section 11.—Terms of the President-Elect, the President, and the Retiring President**

The President-Elect, upon his election, shall serve as such until the adjournment of the final session of the House of Delegates at its next regular annual meeting.

At the conclusion of the final session of the House of Delegates at the next regular annual meeting, the President-Elect shall assume the office of President, and serve as such for the term of one year thereafter, or until his successor assumes office as otherwise provided.

Immediately upon the completion of his one-year term as President, he shall serve as an officer as the Retiring President, and he shall serve in this capacity for one year, until his successor assumes office as Retiring President, as otherwise provided.

(Item 51.)**Section 12.—Powers and Duties of the President-Elect**

The President-Elect shall act for the President in his absence or disability, and if the office of President become vacant the President-Elect shall then succeed to the Presidency to serve as such for such unexpired term and for the term of one year thereafter.

(Item 52.)**Section 13.—Election of Council Chairman; Council Vice-Chairman; Secretary-Treasurer; Editor or Editors**

The Council after the last meeting of the House of Delegates at the regular annual session of the Asso-

ciation shall elect a Chairman and a Vice-Chairman of the Council and the Secretary-Treasurer and the Editor or Editors each to serve for the term of one year.

(Item 53.)**Section 14.—Qualifications of Secretary-Treasurer and Editor**

No person shall be eligible to the office of Secretary or Editor who does not hold the degree of Doctor of Medicine, but membership in this Association shall not be a necessary qualification for the office of either Editor or Secretary-Treasurer.

(Item 54.)**Section 15.—When Terms of Office of Speaker, Vice-Speaker and Councilors Begin**

The terms of office of the Speaker of the House of Delegates (which terms are herein generally stated to be one year) and the terms of office of the Councilors (which terms are herein generally stated to be three years) shall commence immediately upon the adjournment of the last meeting of the House of Delegates of the regular annual session of the Association at which such officers are elected, and shall continue up to the adjournment of the last meeting of the House of Delegates at the annual session of the Association of the year in which the term of office ends.

(Item 55.)**Section 16.—Officers to Hold Office Until Successor Is Elected**

Every officer shall hold office until his successor is elected and installed in office.

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ARTICLE X.—FUNDS, PROPERTY AND ASSESSMENTS**(Item 56.)****Section 1.—Annual Assessment of Dues—Other Sources of Funds**

Funds shall be raised by an equal annual per capita assessment of dues upon the active members and by an equal annual per capita assessment thereof upon the associate members.

The amount of the assessments shall be fixed by the House of Delegates by majority vote of the members present and voting.

Funds may also be raised by voluntary contributions, through bequests, legacies, devises and gifts, and from the Association's publications, by special assessments and in any other manner approved by the House of Delegates.

All resolutions providing for appropriations shall be referred to the Council and all appropriations approved by the Council shall be included in the annual budget.

(Item 57.)**Section 2.—All Funds and Moneys to Be Paid to Secretary-Treasurer and Deposited with Depositary**

All funds and moneys received for the Association by any officer or agent thereof shall be promptly paid to the Secretary-Treasurer and by him deposited with a depositary selected as such by the Council.

All depositaries selected by the Council shall be banks or trust companies duly licensed to transact business as such in the State of California.

(Item 58.)**Section 3.—Membership Interest in Association Property; Only Active Members in Good Standing Have Any Interest in Association Property**

No person other than an active member in good standing shall have any interest in the property of the Association and the interest of any active member therein shall cease when he ceases to be a member of the Association.

If any active member shall resign or otherwise cease to be an active member of the Association,

all of his interest in and to all property of the Association shall cease and such cessation or membership shall operate as a release and assignment to the Association of all the right, title and interest of such member in and to all of the property of the Association.

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ARTICLE XI.—REFERENDUM

(Item 59.)

Section 1.—How Referendum May Be Brought About

The House of Delegates at any session thereof at any regular or special meeting may by a two-thirds vote of all of its members, or the Council at any meeting thereof may by a three-fourths vote of all its members, submit any question, matter or proposition to all the members of the Association by mail, and a majority of the votes cast by mail by members of the Association shall be final and bind and govern the Association upon the question, matter or proposition so submitted to the membership.

(Item 60.)

Section 2.—Council to Determine Form of Referendum; Time of Voting; Canvass

The Council shall prescribe, fix and determine the form of the question, matter or proposition so referred to the members and the time within which such vote shall be cast.

All votes must be in writing and mailed or delivered to the Secretary's office. The canvass thereof shall be under the direction of the Council.

(Item 61.)

Section 3.—Referendums on Action of House of Delegates

The action of the House of Delegates shall be final and binding upon all members of the Association unless a referendum as herein provided, is voted by the House of Delegates by a vote of at least two-thirds of the members thereof, at the same session thereof at which the action was taken or the vote or resolution was had or adopted, or unless the Council by a three-fourths vote of all its members, shall within the period of thirty days after adjournment of such meeting of the House of Delegates vote to hold a referendum on such action, vote or resolution of the House of Delegates.

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ARTICLE XII.—PUBLICATIONS

(Item 62.)

Section 1.—Scientific Journal

The Association shall publish and distribute an official journal in the interest of the Association and of its members, devoted to the advancement of medical thought and science, to medical organization, and for the dissemination of medical and public health information.

(Item 63.)

Section 2.—Annual Directory

The Association shall publish an annual directory of members, with such other information as the Council may direct.

(Item 64.)

Section 3.—Pre-Convention Bulletin

The Association, prior to the annual session, shall print a pre-convention bulletin, which shall contain reports of officers and committees; provided, that the Council shall have the right to delete or modify such reports as in its judgment is deemed best; and provided further, that committees whose reports have been deleted or modified shall have the right to submit them to the House of Delegates in their original form if the committees so desire.

A copy of the pre-convention bulletin shall be given to each delegate and alternate, on registration.

ARTICLE XIII.—SEAL

(Item 65.)

Section 1.—Seal

The Association shall have an Association seal consisting of a circle having on the circumference the words "California Medical Association, Eureka, 1865," with such further emblems, figures and words as the House of Delegates, on recommendation from the Council, shall prescribe.

The power to change or renew the seal shall rest with the House of Delegates.

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ARTICLE XIV.—INCORPORATION

(Item 66.)

Section 1.—Incorporation

To aid in carrying out the objects of the Association, the House of Delegates at any session of any regular or special meeting thereof, may by a two-thirds vote of the members thereof present and acting, authorize, empower and direct the Council to cause the formation and organization of a non-profit corporation under the laws of the State of California without capital stock, with such incorporators, name, purposes, objects, principal place of business, term, number of directors and directors to serve for the first year and until their successors are elected, and with such provisions regarding the voting power and property rights and interests of the members of the corporation and such further provisions in the Articles of Incorporation thereof, and with By-Laws and composed of such members representing this Constitution as the Council shall prescribe, fix and determine. The House of Delegates may at its option in connection with the granting and giving of such authority, power and direction to the Council, prescribe, fix and determine any or all of such matters pertaining to the said corporation, its Articles of Incorporation and any provision thereof, By-Laws and membership, and its action thereon shall bind the Council; and the House of Delegates at any session of any regular or special meeting thereof may by a two-thirds vote of the members thereof present and acting, authorize, empower and direct the Council to grant, assign, transfer, convey and deliver to the said corporation upon the formation thereof without any consideration therefor, any property, real or personal, of the Association, which authorization, power and direction may be given prior or subsequent to the formation and organization of said corporation.

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ARTICLE XV.—AMENDMENTS

(Item 67.)

Section 1.—Procedure to Amend Constitution

Any member of the House of Delegates at any session or any regular annual meeting thereof may present an amendment or amendments to any article or articles or any section or sections of any article of this Constitution.

Such proposed amendment or amendments must be in writing and shall be filed with the Secretary and shall thereafter be published at least twice in separate issues of the official journal of this Association.

At the first regular session of the House of Delegates thereafter held, such proposed amendment or amendments shall be submitted to the House of Delegates, for consideration of the same at that or a subsequent meeting of the House of Delegates during that annual session, and if two-thirds of the Delegates present and voting, vote in favor thereof, the same shall be adopted.

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ARTICLE XVI.—REPEAL OF ALL PROVISIONS OF PRESENT CONSTITUTION

(Item 68.)

Section 1.—Repeal of Present Constitution

All articles and all sections of all articles of the existing Constitution are hereby repealed.

BY-LAWS**CHAPTER I.—COMPONENT SOCIETIES****(Item 69.)****Section 1.—Component Society Charters**

The charter of each component society shall provide that all the provisions of the Constitution and By-Laws of this Association in force at the time of the issuance of such charter, together with all amendments to either thereof thereafter adopted, in so far as the same are applicable, shall be an integral part of the Constitution and By-Laws of the component society to which the charter is issued and that the terms and provisions thereof shall control and govern such component society, the officers and members thereof, and that the constitution and by-laws of the component society shall not be amended in any way to conflict or be inconsistent with the constitution and by-laws of this Association.

Each newly granted charter shall be signed by the President and the Secretary of this Association.

(Item 70.)**Section 2.—Revocation of Component Society Charters**

The charter of any component society may be revoked by the House of Delegates if, after the filing with the Secretary of this Association of a written petition or protest signed either by the Chairman of the Council pursuant to resolution adopted by the Council by the affirmative vote of two-thirds of all the members thereof, and after due notice of hearing and after hearing thereof, the House of Delegates by a two-thirds vote of its qualified members decides that the provisions of the constitution or by-laws of this Association or of the charter of such society has been so breached by such society or that such society has committed acts or conducted itself in conflict with the constitution, by-laws or purposes of this Association to such extent as to make such revocation desirable in the best interests of this Association.

(Item 71.)**Section 3.—Only One Component Society in Any County**

Not more than one component society shall be chartered by this Association in any one county of the State of California.

Geographical or Specialty Sections

A component society may authorize the formation and existence of branch geographical or specialty sections for scientific investigation and work only, the members of which geographical sections or specialty sections must be members of such component county society.

Members in Sections to Be Members of Respective Component County Societies

No branch or geographical or specialty section shall be permitted to have any classes of members, which classes in whole or in part could be made up of non-members of the component county society of which any such geographical or specialty section is a branch or subdivision; provided that nothing in this section shall be construed as limiting the guest privileges of such non-members at such section meetings.

(Item 72.)**Section 4.—Component Society Comprising Two or More Adjoining Counties**

A component society may be chartered to comprise the eligible doctors of medicine resident in two or more adjoining counties, in such cases where the interests of the membership will be best served thereby, and when so duly chartered and instituted, such society shall function as one of the component county societies of this Association.

(Item 73.)**Section 5.—Component Society Sole Judge of Qualifications for Membership**

Each component society shall be exclusive judge of the qualifications for membership therein; provided, however, that eligibility for admission as an active member of a component county society shall be based upon the minimum requirements of the constitution of this Association therefor.

* * *

CHAPTER II.—MEMBERSHIP**(Item 74.)****Section 1.—What Constitutes Membership**

The name of a physician on the official roster of this Association, after it has been properly reported by the secretary of his county society, and after the dues or other assessments due this Association shall have been paid by the component county society for each such member, according to the class of membership held by each component county society member, shall be prima facie evidence of membership and of his right to register at the Annual Session.

(Item 75.)**Section 2.—When Membership Lapses**

No person who is under sentence of suspension or expulsion from any component society of this Association, or whose name has been dropped from its roll of members, shall be entitled to any of the rights or benefits of this Association.

(Item 76.)**Section 3.—Registration at Annual Meetings Necessary for Participation Therein**

Each member in attendance at the Annual Session shall register, after his right to membership has been verified by reference to the records of this Association. No member shall take part in any of the proceedings of the Annual Session until he has complied with the provisions of this section of the By-Laws.

(Item 77.)**Section 4.—Component Society Secretaries to Furnish Data on Applications for Memberships**

The secretary of each component society, on form blanks supplied by this Association for that purpose, shall notify the Secretary-Treasurer of this Association in writing as soon as possible of each application for membership in such component society of the name, address, and all other particulars regarding the applicant known to the secretary of such component society.

(Item 78.)**Section 5.—County Membership Lists to Be Sent to Association Secretary**

It shall be the duty of the secretary of each county society to furnish the Secretary of the Association before the first day of March of each year a list by names and addresses of all members in good standing on the first day of January of each year, and to notify in writing the Secretary of this Association monthly of all changes in membership of the constituent society, with corresponding change of address.

No licensed physician of this state, whose other qualifications comply with the standards of this Association, shall be eligible for election in a component county society who has not actually established his residence in the county for at least six months prior to the date on which application for such membership is made; provided, however, that this time requirement shall to residence shall not apply to applicants who seek admission to a component

county society by proper transfer credentials from some other component county society of this Association.

(Item 79.)

Section 6.—Membership Where No Component Society Exists

Any doctor of medicine residing in a county of the state in which there is no component society may make application and if qualified and elected as such be admitted to the component society most convenient to the county in which he resides.

Membership in Society of Different County

Any doctor of medicine living on or near a county line shall be eligible and may apply for and be elected to membership in that component society most convenient for him to attend, provided that the consent of the component society of the county in which the doctor resides be first obtained.

(Item 80.)

Section 7.—Membership as Affected by Transfer of Residence

A member who changes his residence from the county through whose society he holds membership in this Association, to another county in which there is a county society, is eligible to membership in the component county society of his new residence on the presentation of a transfer card, and an official statement that his dues have been paid in full in the society in which he holds membership; provided that no evidence which would otherwise disqualify him for membership arise.

He shall forfeit his membership in this Association one year after change of location unless he makes proper application for membership in the society of the county to which he has moved.

Any member who has heretofore changed his residence as aforesaid shall have one year after the date of adoption hereof to comply with the provisions of this section.

If a member who so transfers his residence be not elected to membership in the society of the county into which he has moved, he shall have the right to maintain his membership through payment of dues, in the society of the county of his former residence, if that county society gives its sanction.

(Item 81.)

Section 8.—Membership Where Office and Residence Are in Different Counties

A physician who is a member of a component county society and who states he has his major office for professional practice in one county, even though his legal home or residence may be in some other county, may have the option of applying for membership in the county medical society of the county in which he has his major office for professional work or of maintaining his membership in the county medical society in which he has his legal home or residence, provided the two component county societies involved each give their sanction to such choice of membership.

(Item 82.)

Section 9.—Expulsion and Loss of License

Any member expelled from his component society, or any active member whose license to practice medicine and surgery in the State of California is revoked shall thereupon cease to be a member of this Association.

Expulsion shall be deemed to occur when the same becomes final under the Constitution and By-Laws of this Association.

Revocation of license shall be deemed to occur when the same becomes final in law.

Loss of Rights, Upon Suspension by County Society

Any member of this Association who is suspended from his component county society, shall be auto-

matically suspended from the rights and privileges of this Association during the period in which suspension in the component county society exists.

(Item 83.)

Section 10.—Appeal to Council and to House of Delegates

Any physician who may feel aggrieved by the action of his component society in censuring, suspending or expelling him, shall have the right to appeal to the Council of this Association within the period of two months next succeeding the date of such action of his component society, which appeal shall be in writing and filed within the said period in the office of the Secretary of this Association, who in turn shall present the appeal to the first subsequent meeting, held by either the Executive Committee or Council.

Within the period of three months after a decision by the Council thereon, any party interested may appeal in writing to the House of Delegates, through the Secretary of the Association. The decision of the House of Delegates in any case shall be final.

Appeals shall be heard by the Council or House of Delegates only after reasonable notice in writing of the time and place of the hearing of the appeal, to the appellant member and the president and secretary of the component society.

(Item 84.)

Section 11.—Hearing Appeals

In hearing appeals, the Council or the House of Delegates, as the case may be, shall review all questions involved and may appoint committees or any notary public to act as referee or referees for the purpose of taking evidence upon any points or questions.

Such referee reports shall thereafter be submitted to the Council or to the House of Delegates, as the case may be.

The body before whom the appeal is pending shall use any lawful means which in its judgment will best and most fairly present all the facts involved.

In every case of appeal, the individual councilors and the Council as a board, prior to any hearing being held upon the appeal, by either the Council or by the House of Delegates, shall exert all proper efforts at conciliation and compromise.

* * *

CHAPTER III.—HOUSE OF DELEGATES

(Item 85.)

Section 1.—Time and Place of Meeting

The House of Delegates shall meet annually at the time and place of the annual sessions of this Association.

(Item 86.)

Section 2.—Number of Delegates and Alternates per Component Society

Each component county society shall be entitled to send each year one delegate to the House of Delegates for each fifty full-paid members or major fraction thereof in this Association, as of date of the first day of November of the preceding year; provided, however, that each county society shall be entitled to at least one delegate.

The secretary of the Association in the January or February issue of the official journal shall print the membership figures of county units, as of November 1 of the preceding year.

Each component county society, for each delegate to which it is entitled, also shall elect a corresponding alternate, as above provided.

(Item 87.)

Section 3.—Quorum

Thirty-five delegates shall constitute a quorum of the House of Delegates. All meetings of the House

of Delegates shall be open to members of the Association, except when by a two-thirds vote, the House of Delegates goes into executive session.

(Item 88.)

Section 4.—Component Society Secretaries to Furnish Lists of Delegates and Alternates

The secretary of each component society in the month of January and in no event later than fifteen days prior to the annual session of the House of Delegates, on form blanks sent in January to each component society by the Secretary of this Association, shall forward to the Secretary of this Association the names and addresses of the delegates and alternates elected by the component society to the House of Delegates, and certify to the Secretary of this Association the date of such election and the term for which each delegate and alternate is elected.

Failure to forward said names and addresses within said time to the Secretary shall disqualify said delegates and alternates for said session, unless the Council, for good cause shown, shall excuse such default, such action of the Council, however, being subject to the approval of the House of Delegates.

(Item 89.)

Section 5.—Delegates or Alternates Absent from Session Disqualified

Any delegate absent from an annual session to which he has been duly elected, who has not notified the secretary of his component society at least fifteen days before the convening of said session of his inability to attend, shall be ineligible for re-election as a delegate for the next two years succeeding the expiration of his term of office.

Secretaries of county societies shall in writing notify delegates and alternates of their elections, and in so doing, shall call their attention to the provision of this by-law.

(Item 90.)

Section 6.—Rights and Duties of Alternate Delegates

The House of Delegates concurring, an alternate shall take the place and perform the duties of any delegate of the delegation from such component society who is absent from any meeting, as otherwise herein provided.

(Item 91.)

Section 7.—Credentials and Reference Committee

From among members of the House of Delegates the Speaker of the House of Delegates, for the purpose of better carrying on the work of the House of Delegates, shall appoint prior to or at the beginning of an annual session the following as reference committees:

- (a) A Committee on Credentials.
- (b) A Reference Committee on Reports of Officers and of Standing Committees.
- (c) A Reference Committee on Resolutions and on New and Miscellaneous Business.

Membership of Credentials and Reference Committees

Each of the aforesaid committees shall consist of three members of the House, the chairman of each to be designated by the Speaker.

The Speaker, the House concurring, shall refer to these committees such matters as are deemed proper.

The Reference Committees shall present written reports dealing with and making recommendations on all matters submitted to them. The reports of each committee, by its chairman, shall be read first as a whole, and the House of Delegates shall then

act and vote upon the report as a whole or section by section, as it may deem best.

Special Speaker Committees of House of Delegates

The Speaker, the House concurring, shall have the right to appoint special committees for special work. All committees of the House of Delegates shall present, in writing, their reports to the House.

Data and Work of Credentials Committee

The Secretary of the Association shall supply the Committee on Credentials with the necessary information concerning the membership of the House of Delegates.

The Secretary shall give this committee a list of component county societies, showing the total membership as of November 1 of the preceding year. This committee shall ask each delegate and alternate to present his written credentials, but shall accept the official written list submitted by the secretary of any component society; provided that such written list be sent to the State Association Secretary at least fifteen days before the beginning of the annual session.

(Item 92.)

Section 8.—Delegates to the American Medical Association

The House of Delegates shall elect delegates and alternates to the House of Delegates of the American Medical Association in accordance with the constitution and by-laws of that organization.

(Item 93.)

Section 9.—Formation of Councilor Districts and Societies

The House of Delegates, at least once in every ten years, upon recommendation by the Council, or on its own initiative, shall divide or regroup the state into its Councilor Districts, specifying what counties each district shall include; and, when the best interests of the Association and the profession will be promoted thereby, shall organize in each Councilor District a district medical society, of which all members of the component county societies shall be members.

(Item 94.)

Section 10.—Special Committees Elected by the House of Delegates

The House of Delegates shall have authority to appoint committees for special purposes from among members of the Association who may or may not be members of the House of Delegates. Such committees shall report to the House of Delegates; and the members, the House concurring, may participate in the debate on their reports.

(Item 95.)

Section 11.—Budget

The House of Delegates shall approve an annual budget of expense to be submitted to it by the Council.

(Item 96.)

Section 12.—Approval of Memorials

The House of Delegates shall approve all memorials and resolutions issued in the name of the Association during an annual session before they shall become effective.

* * *

CHAPTER IV.—SESSIONS AND MEETINGS

(Item 97.)

Section 1.—Registry of Members

Each member of the Association in attendance at the annual session shall register with the Secre-

tary, and no member shall take part at the annual meetings of the session unless he has registered and holds a membership card.

* * *

CHAPTER V.—GENERAL AND SECTION MEETINGS

(Item 98.)

Section 1.—General Meetings; Programs of

The General Meetings shall be open to all registered members and guests.

Before the General Meetings, at such time as may have been arranged, shall be delivered the annual address of the President and, with the sanction of the Council, such other orations or special addresses and reports as may be deemed desirable.

(Item 99.)

Section 2.—Time Length of Papers

No address or paper, except those of the President, and the annual orations, shall occupy more than twenty minutes in its delivery.

(Item 100.)

Section 3.—Time Length of Discussions

No member, except by unanimous consent, shall speak more than once in the discussion of any paper nor longer than five minutes at any one time.

(Item 101.)

Section 4.—Scientific Papers Property of Association

All papers read before this Association shall be its property.

Each paper, when it has been read, shall be deposited with the Section Secretary, by him to be properly turned over to the Secretary of the Association.

(Item 102.)

Section 5.—Scientific Papers Not to Be Published Elsewhere

Authors of papers read before this Association shall not cause them to be published elsewhere except with the consent of the journal of this Association.

(Item 103.)

Section 6.—All Meetings of Same Section in Same Locality

The general meeting of the Association, the meetings of the House of Delegates, and the meetings of the Scientific Assembly and its sections at any session shall be held in the State of California at the same locality and in buildings as convenient of access, one to the other, as may be possible.

* * *

CHAPTER VI.—ELECTION OF OFFICERS

(Item 104.)

Section 1.—Time of Election of Officers

The election of officers shall be the first order of business of the House of Delegates at the second meeting of the House of Delegates.

(Item 105.)

Section 2.—Election by Ballot; Number of Votes Necessary

All elections of officers shall be by ballot; provided, that by unanimous consent ballot election may be waived.

A majority of the votes cast shall be necessary to elect an officer, except for delegates and alternates to the American Medical Association.

In case no nominee receives a majority of the votes on the first ballot, the nominee receiving the lowest number of votes shall be dropped and a new ballot taken. This procedure shall be continued until one of the nominees receives a majority of all the votes cast, when he shall be declared elected.

(Item 106.)

Section 3.—Election of Delegates to A. M. A.

In case no delegates or alternates for the American Medical Association receive on the first ballot

a majority of the vote, the nominees shall be declared elected in the order of the highest number of votes received, one being so elected on each ballot until the allotted number shall have been chosen. In case of a tie vote for delegate or alternate, the tie shall be determined by lot. Ballots for vacancies shall be taken for each vacancy, one by one.

An alternate must be specifically elected for each delegate.

(Item 107.)

Section 4.—Regular Council Meetings; Frequency and Where Held

The Council shall meet on the day preceding the annual session of the Association and daily during such session, and shall also hold at least three other regular meetings during the year, at least one of which shall be held in the southern part of the state.

The time and place of each such meetings shall be fixed by the Council at a previous meeting and at least ten days' notice by mail shall be given each Councilor by the Secretary of the time and place of such regular meetings.

(Item 108.)

Section 5.—Special Council Meetings; How Called; Where Held

Special meetings of the Council may be called by the Chairman at any time and he shall call such meeting upon the written request of at least three Councilors filed with the Secretary, stating the object of the proposed meeting. Written notice of the time, place and object of such meeting shall be given by the Secretary to all members of the Council at least seven days prior to such meeting. All special meetings of the Council shall be held at the office of the Association unless another place is selected by majority vote of all members of the Council.

(Item 109.)

Section 6.—Executive Committee Meetings

The Executive Committee shall meet on call of the President, the Chairman of the Council or the Secretary-Treasurer, on forty-eight hours notice by mail or telegraph to the members thereof, if the meeting is to be held at the office of the Association; otherwise on at least three days notice of the time and place of meeting.

* * *

CHAPTER VII.—DUTIES OF OFFICERS

(Item 110.)

Section 1.—Duties of the President

The President shall preside at all meetings of the Association.

He shall appoint all committees not otherwise provided for; he shall deliver an annual address at such time as may be arranged, and shall perform such other duties as custom and parliamentary usage may require, or as the Council or House of Delegates may direct.

He shall be the real head of the profession of the state during his term of office, and, as far as practicable, shall visit, by appointment, the various sections of the state and assist the Councilors in building up the county societies, and in making their work more practical and useful. The Council shall decide what portion of the expenses incurred on his official visits shall be paid by the Association.

He shall be ex-officio a member of all committees of the Association.

He shall be ex-officio a member of the Council. As Retiring President, for a period of one year immediately succeeding his term of office, he shall be ex-officio a member of the Council.

(Item 111.)

Section 2.—Duties of the President-Elect

The President-Elect shall be a member of the Council ex-officio, and shall act for the President in

his absence or disability. If the office of President should become vacant the President-Elect shall succeed to the presidency.

(Item 112.)

Section 3.—Vacancy in Offices of President and President-Elect; How Filled

In case of vacancy in the office of both President and President-Elect, the chairman of the Council shall act as the Acting President until a President is elected at the next meeting of the House of Delegates.

(Item 113.)

Section 4.—Duties of the Secretary-Treasurer: Shall Keep Minutes

The Secretary-Treasurer shall attend the General Meetings of the Association, the meetings of the House of Delegates, of the Council and of the Executive Committee, and shall keep minutes of their respective proceedings in separate record books.

Custodian of Records

He shall be custodian of all record books and papers belonging to the Association.

Registrar at Annual Meetings

He shall provide for the registration of the members and delegates at the Annual Session.

Shall Keep Index Register of California Medical Licentiatees

He shall, with the cooperation of the secretaries of the component societies, keep a card-index register of all the legal practitioners of the state by counties, noting on each his status in relation to his county society; and shall transmit a copy of this list to the American Medical Association, transmitting to its secretary each month a report containing the names of new members and the names of those dropped from the membership roster during the preceding month.

Register of Component Societies, Their Members and Officers

He shall keep a register of all component societies, their respective officers, and of all members of the Association with their addresses, and unless otherwise instructed by the Council shall compile an annual directory of the same.

Notices

He shall give all notices required by the Constitution and By-Laws of this Association, or by order of the Council, or of the Executive Committee, or by law.

Shall Conduct Correspondence and Notify Committees

He shall conduct the official correspondence, promptly notifying in writing, members of meetings, officers of their election, and committees of their appointment and duties, as outlined in the motions creating such committees.

Assistants; How Employed

He shall employ and dispense with such assistants as may be ordered by the Council. The Council by resolution may outline the scope and duties of special employees acting under the Secretary-Treasurer.

Shall Provide Necessary Blanks to Component Societies

He shall supply all component societies with the necessary blanks for making their annual reports to this Association, and shall collect from them the regular per capita assessments and deposit the same in such depository banks as may be designated as such by the Council.

Salary

The amount of his salary shall be fixed by the Council.

Shall Give Bond

He shall give bond in such sum as may be decided upon by the Council. The Association shall pay the premium on the said bond.

Duties as Treasurer

He shall as Treasurer demand and receive all funds due the Association, together with bequests and donations, and shall promptly deposit the same in the proper one of the depositories thereof; and shall keep a proper and accurate record thereof, as well as of all funds disbursed by the Association.

Audits and Reports

He shall subject his accounts to such examination or audit as the House of Delegates or Council may order.

He shall annually render an account of his work, and of the state of the funds in his hands, and make a report on the same and of his work as Secretary to the House of Delegates. He shall in writing also make such other reports as the Council may request.

Association Moneys; How Paid Out

He shall pay out the money of the Association only upon a check or draft as otherwise provided herein.

Contracts

He shall countersign all contracts and agreements to which the Association is a party.

Checks; How Drawn

The Secretary-Treasurer shall issue such checks or drafts only upon vouchers approved and signed by at least two of the three members of the Auditing Committee, as otherwise provided.

Other Duties

He shall perform such other duties as the Council may direct.

As Chairman of Committee on Publication Advertisements

The Secretary-Treasurer shall be chairman of a committee on advertisements, consisting of the Secretary-Treasurer, the Editor and the Chairman of the Executive Committee, to examine, reject, approve or modify all applications for advertisements in the publications of the Association; provided, that the Council or through it the Executive Committee, may give special instructions in regard to any phases thereof. He shall also send out the statements and keep an accurate accounting of all moneys so received, and in connection therewith.

(Item 114.)

Section 5.—Duties of Chairman of the Council

The Chairman of the Council shall preside at all meetings of the Council. The Chairman of the Council shall sign all contracts and checks or drafts for the withdrawal of funds of the Association. He shall, on behalf of the Council, deliver its annual report to the House of Delegates.

(Item 115.)

Section 6.—Duties of Vice-Chairman of the Council

The Vice-Chairman of the Council, in the absence or inability of the Chairman to act, upon instructions from the Council, shall be vested with all the powers and shall perform all the duties of the Chairman.

(Item 116.)

Section 7.—Speaker of the House of Delegates; Duties and Powers

The Speaker of the House of Delegates shall preside at the meetings of the House and shall perform such other duties as parliamentary usage may

require. He shall appoint all committees authorized by the House of Delegates, unless otherwise provided.

He shall be ex-officio, a member of the Council.

(Item 117.)

Section 8.—Vice-Speaker; Duties

The Vice-Speaker shall act as Speaker in the absence of or at the request of the Speaker. The Vice-Speaker shall not have ex-officio membership in the Council.

(Item 118.)

Section 9.—Editor

The Editor or Editors shall compile, edit, and have charge of the journal of the Association and such other publications as may be authorized for or on behalf of the Association.

* * *

CHAPTER VIII.—COUNCIL

(Item 119.)

Section 1.—Times and Places of Meetings

The Council shall meet on the day preceding the Annual Session and daily during the session and at such other times as necessity may require, subject to the call of the chairman or on petition of three Councilors.

Organization.—It shall meet on the last day of the Annual Session of the Association to organize and to transact such other business as it may deem proper.

Annual Report.—It shall make an annual report to the House of Delegates, the same to be submitted through its chairman.

(Item 120.)

Section 2.—Duties of District Councilor

Each District Councilor shall be organizer, peace-maker and censor for his district.

Visitation of Component County Societies; and Report thereon.—He shall visit each county in his district at least once a year; for the purpose of organizing component societies where none exist, for inquiring into the condition of the profession, and to keep in touch with the activities of and to aid in the betterment of the component societies of his district; and in writing shall make an annual report of this work, and of the condition of the profession of each county in his district to the Council, by it to be transmitted to the House of Delegates.

Traveling Expenses.—The necessary traveling expenses incurred by each Councilor and officers in the line of duties herein imposed, either in visitation of component county societies, attending Council or Executive Committee meetings and so on, may be allowed on proper itemized statement, according to such limitations as the Council may deem wise to adopt; but this shall not be construed to include any expense in attending the Annual Session of the Association.

(Item 121.)

Section 3.—Mail Ballot

The Chairman of the Council at any time may direct the Secretary to submit any urgent matter or question to the Council by mail ballot, the question or proposition being prepared through conference of the Secretary with the Chairman of the Council and the Chairman of the executive committee; and the vote of two-thirds of the members upon such question by mail or telegraph shall be binding upon the Council.

(Item 122.)

Section 4.—Registry

The Secretary-Treasurer in writing, shall request each Councilor to register his address where he de-

sires all notices to be sent to him which might go forward by mail or telegram.

(Item 123.)

Section 5.—Order of Business

At meetings of the Council, business shall be transacted as the Council may determine from time to time by resolution.

Order of Business for First Meeting of the House of Delegates.—The Council shall provide and fix the order of business of the first meeting of the House of Delegates.

(Item 124.)

Section 6.—Powers and Duties

The Council shall be vested with the powers and perform the duties provided in the Constitution.

Annual Report to the House of Delegates.—The Council shall consider and approve or modify its annual report as prepared by its Chairman, to the House of Delegates at the regular annual session thereof; and shall therein report to the House of Delegates all material and important matters transacted by the Council or Executive Committee during the preceding year and all material and important matters affecting the Association or its members; and with said report it shall submit a budget of expenditures for the ensuing year.

(Item 125.)

Section 7.—Review of Acts and Proceedings of Executive Committee

At each meeting of the Council it shall examine, review, and approve, reject or modify, upon all recommendations and proceedings of the Executive Committee had and taken subsequent to the last meeting of the Council.

(Item 126.)

Section 8.—Powers of Council in Relation to House of Delegates

The Council shall be the executive body of the House of Delegates and between sessions shall exercise the power conferred on the House of Delegates by the Constitution and By-Laws.

Council as a Board of Censors.—The Council shall be the Board of Censors of the Association. It shall consider all questions involving the right and standing of members, whether in relation to other members, to the component societies, or to this or to the national Association.

All questions of an ethical nature brought before the House of Delegates or the General Meeting shall be referred to the Council without discussion.

It shall hear and decide all questions of discipline affecting the conduct of members or component societies, on which an appeal is taken from the decision of an individual Councilor. Its decision in all cases, including questions regarding membership in this Association, shall be final, unless the House of Delegates by a majority vote of the members thereof present and acting, requests that the matter be presented to the House by the Council, for such recommendation and action as the House, after due investigation and deliberation, may deem proper to make.

Council Chairman.—The Council shall elect a chairman and a vice-chairman at the annual organization meeting of the Council.

The chairman and vice-chairman shall hold office until the next organization meeting, or until their respective successors are elected.

(Item 127.)

Section 9.—Issuance and Revocation of Charters

Charters shall be issued to county societies only on approval of the Council, and shall be signed by the President and Secretary of this Association.

Upon the recommendation of the Council, after due hearing, the House of Delegates may revoke the

charter of any component society whose actions are in conflict with the letter or spirit of this Constitution and By-Laws.

(Item 128.)

Section 10.—Adjacent Counties as One County Society

In sparsely settled sections the Council shall have authority to organize the physicians of two or more counties into a society, to be suitably designated, if deemed desirable, by hyphenated county names, so as to distinguish it from a district society; and such a society, when organized and chartered, shall be entitled to all rights and privileges provided for a component society until such counties shall be organized and chartered separately.

(Item 129.)

Section 11.—Council Supervision of Publications; Appointment of Editor or Editors

The Council shall provide for and superintend the issuance of all publications of the Association, including proceedings, transactions and memoirs, and shall have authority to appoint an editor or editors and such assistants as it deems necessary.

(Item 130.)

Section 12.—Accounting and Audits

It shall prescribe the methods of accounting and shall audit all accounts of this Association.

Budget.—The Council shall adopt an annual budget providing for the necessary expenses of the Association.

Compilation of Annual Financial Report.—Through the Chairman and Secretary Treasurer, it shall compile an annual report which shall be available to the House of Delegates, which shall specify the character and cost of the publications of the Association, the amount and character of all of its property, and shall provide full information concerning the management of all financial affairs of the Association which the Council is charged to administer.

(Item 131.)

Section 13.—Committee of Arrangements for Annual Meeting

The Chairman of the Council, subject to the approval of the Council, shall appoint at least six months before the annual meeting a Committee on Arrangements for the annual meeting, one member thereof being designated as the general chairman. This committee shall consist of five members, at least three of whom shall be members of the component society of the county in which the annual meeting is to be held.

The Secretary-Treasurer of the Association shall be ex-officio, also a member of this committee.

This committee shall have charge of all local arrangements other than those otherwise provided for.

The terms of office of members of this committee shall expire when the succeeding committee is appointed.

As the local Committee of Arrangements this committee shall provide suitable meeting places and shall have general charge of all local arrangements. The committee shall have power to appoint local advisory members and sub-committees to aid it in its work.

Commercial Exhibit.—The Council shall decide what portion of the income from Commercial Exhibit or other convention services shall go to the local Committee of Arrangements. The location and rules for the commercial exhibit and other accessory

annual session activities shall be subject to the approval of the Council.

Local Convention Expenses.—The Council shall decide what share of the local expenses shall be borne by the Association.

(Item 132.)

Section 14.—Council Appointments in Vacancies

The Council shall, by appointment, fill any vacancy in office not otherwise provided for which may occur during the interval between annual meetings of the House of Delegates; the appointee shall serve until his successor has been elected and has qualified.

(Item 133.)

Section 15.—Executives or Field Secretaries or Representatives

The Council may employ one or more Executive or Field Secretaries or Representatives, who need not be physicians nor members of the Association. The duties of such a representative or representatives, if appointed, shall be determined by the Council, by resolution.

(Item 134.)

Section 16.—Council to Fix Salaries

The salaries of all employees of the Association shall be fixed by the Council.

(Item 135.)

Section 17.—Headquarters

The Council shall provide such headquarters for the Association as may be required to conduct its business properly.

(Item 136.)

Section 18.—Legal Counsel

The Council shall have the right to appoint one or more legal advisors, giving each such title as may be deemed proper. It shall decide the amount of retainer and other fees, and by resolution shall indicate what authority, duties and work shall be deputized to each. The Council shall appoint such licensed attorneys-at-law in California at its annual organization meeting.

The Council shall have the right to request the attendance of the Counsel of the Association at any meetings at which it might desire his presence and advice, and at such meetings he shall call the attention of the Council to matters in which the legal bearings may be of importance, and shall give such other opinions in special matters as may be requested of him by the Council.

The General Counsel shall present in writing as promptly as the same may be properly prepared, such legal opinions as may be requested by the House of Delegates, the Council or the Executive Committee.

* * *

CHAPTER IX.—COMMITTEES

(Item 137.)

Section 1.—Standing Committees

The standing committees of this Association shall be as follows:

- (a) An Executive Committee.
- (b) A Committee on Scientific Work.
- (c) A Committee on Public Policy.
- (d) A Committee on Publications.
- (e) A Committee on Medical Defense.
- (f) A Committee on Medical Education and Hospitals.
- (g) A Committee on Medical Economics.
- (h) A Committee on Health and Public Instruction.

- (i) A Committee on Associated and Affiliated Societies.
- (j) A Committee on Necrology.
- (k) A Committee on Membership and Organization.
- (l) A Committee on Extension Lectures.

(Item 138.)**Section 2.—Standing Committees; How Elected; Terms of Office**

Unless otherwise provided in these By-Laws, each of these committees shall consist of three members, each of whom shall serve for a term of three years. One member of each of these committees shall be nominated and elected annually by the Council, by and with the consent of the House of Delegates, provided that at the Annual Session at which this Constitution is adopted, one member of each of the foregoing committees shall be appointed for a term of three years, one member for two years and one member for one year, their successors to be elected in proper and regular calendar sequence thereafter.

(Item 139.)**Section 3.—Advisory Groups to Standing Committees**

To aid it in its work, each committee, if it so desires, (with the exception of the Executive Committee), shall have the power to appoint an Advisory Group to its committee, consisting of from two to ten members. Such advisory members, if present at a regular committee meeting, shall not have the right to vote.

(Item 140.)**Section 4.—Officers of Standing Committees**

Each of these committees shall, each year, at its first meeting or official consultation, following the Annual Session, elect its own chairman and secretary.

(Item 141.)**Section 5.—Secretary-Treasurer's Notice to Standing Committees**

The Secretary-Treasurer of the Association, within one month after the Annual Session, shall write the Committee Chairman of the preceding year, to call a meeting for organization and consideration of any business. The Secretary shall also send a copy of this letter to each of the other members of the committee.

(Item 142.)**Section 6.—Annual Reports of Standing Committees**

Prior to the annual meeting, each of these committees shall submit a written report to the council on the work of the committee during the preceding year, the same to be printed in the Pre-convention Bulletin as otherwise provided.

(Item 143.)**Section 7.—Executive Committee**

The Executive Committee shall consist of the President, the President-Elect, the Secretary-Treasurer, the Speaker of the House of Delegates, the Chairman of the Council, the Editor and the Chairman of the Auditing Committee.

Officers.—This committee shall elect its own chairman. The Secretary-Treasurer of the Association shall be its secretary.

Time and Place of Meetings.—This committee shall meet at the Association office, unless otherwise agreed upon; on call of its chairman, or upon written request of two of its members.

Scope and Duties.—It shall consider all matters brought to its attention by the Secretary-Treasurer or others of its members, and shall make recom-

mendations for action thereon to the Council, as elsewhere provided.

Legal Counsel.—The Executive Committee shall have the right to request the attendance of the Counsel of the Association at any meeting at which it might desire his presence and advice.

(Item 144.)**Section 8.—Committee on Scientific Program**

The Committee on Scientific Program shall consist of the Secretary-Treasurer, the secretaries of the sections on general surgery and general medicine and three other members to be elected by the Council, each of these three members to serve three years, one member being elected each year. The Secretary-Treasurer shall be chairman.

This Committee shall determine the character and scope of the scientific proceedings of the Association for each session, subject to the instructions of the Council.

At least thirty days previous to each Annual Session it shall prepare and issue a program announcing the order in which papers and discussions shall be presented.

Joint Session With Section Secretaries.—This Committee shall have one joint session with the section secretaries, at a time and place to be designated by the Chairman of the Committee, at least forty-five days prior to the annual session, to the end of more efficiently co-ordinating the various activities of the Association at its annual session. The chairman of the local committee of arrangements shall also be invited to attend this meeting.

(Item 145.)**Section 9.—Committee on Public Policy**

The Committee on Public Policy shall consist of three elected members, and ex-officio, the President and the President-Elect.

A joint meeting of this committee and an Auxiliary Committee, as hereinafter provided, shall be held annually, as may be ordered on the call of the chairman. The chairman of the Committee, and in his absence, the President, shall act as chairman at the joint meetings of this central state group and of auxiliary county groups.

County Auxiliary Committees on Public Policy.—The Council of each county society shall appoint or elect three of its members as members of its auxiliary Committee on Public Policy, designating one as chairman, and the county society secretary shall send promptly the names and addresses to the Secretary of this Association.

Work of Auxiliary County Committees.—The Committee on Public Policy of this Association, with the sanction of the Council, shall formulate the duties of these auxiliary committees and supply each member with a copy of its suggestions and instructions. The auxiliary committeemen shall be accountable to their county societies and to the Council for prompt response and continued cooperation with the Committee on Public Policy of this Association.

Functions of the Committee.—The Committee on Public Policy and its auxiliary county groups shall represent the Association in securing and enforcing legislation in the interest of public health and of scientific medicine, subject, however, to the approval of the Council.

(Item 146.)**Section 10.—Committee on Publication**

The Committee on Publication shall consist of three elected members, and ex-officio editor or editors, and the Secretary-Treasurer.

Functions of the Committee on Publications.—The Committee, subject to the instructions and approval of the Council, shall have authority to arrange for the publication and distribution of all publications of the Association; and shall keep in con-

sultation with the editors and secretaries to the end that the scientific work and organization efforts of the Association, may be presented to the members of the Association in best possible manner.

(Item 147.)

Section 11.—Committee on Medical Defense

The Committee on Medical Defense, subject to the approval of the Council, shall prepare plans and establish rules, for the protection of the legal rights of members of this Association against whom suits for alleged malpractice have been brought.

It may assist in the defense of any member sued for alleged malpractice if the member was in good standing and had complied with the rules of the committee when the service on account of which suit was brought was rendered.

(Item 148.)

Section 12.—Committee on Medical Education and Medical Institutions

The Committee on Medical Education and Institutions shall serve in this state for the Council on Medical Education of the American Medical Association.

It shall keep in touch with the problems pertaining to medical education and to medical and other institutions of training for medicine and the healing art.

(Item 149.)

Section 13.—Committee on Hospitals

The Committee on Hospitals shall serve in this state for the Council on Hospitals of the American Medical Association.

It shall keep in touch with the problems arising in the fields of work of all types of hospitals, giving special attention to those activities that are or tend to become a menace to the best interests of scientific medicine and of the profession and its members.

(Item 150.)

Section 14.—Committee on Medical Economics

The Committee on Medical Economics shall investigate matters affecting the economic status of physicians.

(Item 151.)

Section 15.—Committee on Health and Public Instruction

The Committee on Health and Public Instruction shall keep in touch with and investigate matters concerned with the public health of the state and shall carry on such activities in the field of public health, and aid in the dissemination of information in relation thereto, as the Council may direct.

(Item 152.)

Section 16.—Committee on Associated Societies and Technical Groups

The Committee on Associated and Technical Groups, subject to the instructions of the Council, shall endeavor to create proper liaisons between this Association and other state and national medical organizations, as well as with the organizations of related professions, such as dentistry; it shall also endeavor to bring about a proper understanding with non-medical organizations or groups of technicians and others whose work has a bearing on or is related to the practice of medicine.

(Item 153.)

Section 17.—Committee on Necrology

The Committee on Necrology shall compile and prepare for the publications of the society suitable statements concerning deceased members. The editors and the Association Secretary shall be additional members of this committee, ex-officio.

(Item 154.)

Section 18.—Committee on Membership and Organization

The Committee on Membership and Organization, of which the Secretary-Treasurer shall be an additional member ex-officio, shall each year make a survey of the number of licensed physicians in the state and shall seek to have the component county societies bring into membership all eligible physicians in their respective counties; and to that end in the Spring of each year, and perhaps oftener, shall send to each county society a letter, a copy being sent also to each county society president and secretary, urging each county society to take steps to have a county committee on membership appointed for the purpose of making a survey and bringing into affiliation all eligible physicians.

(Item 155.)

Section 19.—Committee on Industrial Practice

The Committee on Industrial Practice shall keep in touch with matters and problems peculiarly connected with industrial practice.

(Item 156.)

Section 20.—Committee on Extension Lectures

The Committee on Extension Lectures, of which the Secretary-Treasurer shall be an additional ex-officio member, shall have charge of the work of conferring with members of the Association, who are willing to give lectures or papers or clinics, which would be available to county societies desiring to have such presentations. From time to time, the committee shall print in the official publication the names and addresses of such available speakers, and the titles of their subjects, and once or more each year, in a letter to the county societies shall call the attention of the county officers to the availability of such lecture and clinic material which could be used to advantage in formulating county society programs.

(Item 157.)

Section 21.—Publication of Committee Reports in Pre-Convention Bulletin

Reports of the standing and special committees shall be published in a preconvention bulletin or in the official journal of the month preceding the date of the annual session of the Association. Such reports must be in the hands of the Secretary-Treasurer at least sixty days in advance of the annual session.

If a committee fails to send in its report in proper time, the name of the committee and of its members shall be printed as above indicated, with a statement that the committee failed to send in its report; and the Council, subject to the approval of the House of Delegates, shall be empowered under such conditions to make such changes in the personnel of the committee as in its judgment may be deemed best.

(Item 158.)

Section 22.—Report Procedure for All Committees

Regular and special committees of the Association may make investigations and surveys on authorization of the Council or House of Delegates, but all recommendations and reports of all committees, (unless expressly otherwise provided in the constitution or by-laws), must be submitted only to the Council or House of Delegates. Other than as herein stated no committee is authorized to act for or represent this Association.

(Item 159.)

Section 23.—Additional Committees

The Council and the House of Delegates are authorized and empowered to appoint special committees, with special instructions as to work to be

undertaken, whenever it is deemed necessary or desirable by either body.

(Item 160.)

Section 24.—Scientific Sections; How Divided

The scientific work of the Association shall be divided into twelve scientific sections as follows: General Medicine; General Surgery; Pediatrics; Eye; Ear, Nose and Throat; Urology; Anesthesiology; Obstetrics and Gynecology; Radiology; Industrial Medicine and Surgery; Pathology and Bacteriology; Dermatology and Syphilology; and Neuropsychiatry.

Additional Scientific Sections; How Authorized.—Additional scientific sections or regrouping of scope of existing scientific sections can through proper resolution be authorized by the House of Delegates.

Rules of Procedure of Scientific Sections.—Each scientific section shall adopt rules of procedure for its own better government and work, and in suitable books, its officers shall be responsible for the proper keeping of records of scientific and business meetings.

Officers of Sections.—The members of each section shall at the regular annual session of the Association elect a chairman and a secretary of the section to serve for the term of one year.

Each of the sections shall present a scientific program at the annual session of the Association, and its officers shall be responsible for the proper preparation of the same, and for the proper co-operation with other scientific sections during the annual meeting. * * *

CHAPTER X.—FUNDS, PROPERTY AND ASSESSMENTS

(Item 161.)

Section 1.—Annual Assessment

An annual per capita assessment of dues upon all active members, and an annual per capita assessment of fifty per cent thereof upon all associate members, shall be recommended by the Council to the House of Delegates. The authority to fix the amount of the said assessments, shall be vested in the House of Delegates.

(Item 162.)

Section 2.—Payment of Dues and Delinquency

Said annual assessment or dues shall be payable and delinquent and a member shall forfeit his membership for non-payment thereof as herein elsewhere in these by-laws provided.

(Item 163.)

Section 3.—Bequests, Legacies, Donations and Gifts

The Association may also receive through the Council or any corporation which may be formed pursuant to Article XII of the constitution, such bequests, legacies, donations and gifts as the Council shall deem it proper and suitable to accept.

(Item 164.)

Section 4.—Funds and Moneys—Deposit and Withdrawal

All funds and moneys of the Association by whomsoever received shall be promptly forwarded to the Secretary-Treasurer of the Association and deposited by him in a depository of the Association.

No demands or claims against the Association shall be paid and no funds or moneys of the Association withdrawn from any depository thereof except upon written voucher approved by the signature of at least two members of the Auditing Committee on check or draft signed by any two of the following: The Chairman of the Council; the Vice-Chairman of the Council (only in the absence of the Chairman); Chairman of the Auditing Committee; the Secretary-Treasurer.

(Item 165.)

Section 5.—Surplus Funds from Journal and Publications

On authorization therefor by the House of Delegates, any surplus funds arising from the conduct and operation of the Journal or other publications of the Association may be applied and used by the Council for any purposes deemed suitable by it or may be delivered and paid over to any corporation which may be formed pursuant to Article XII of the constitution.

(Item 166.)

Section 6.—Property and Funds May Be Transferred to Corporation

The Council in its annual report to the House of Delegates may recommend the conveyance, transfer, delivery and payment over to any corporation which may be formed pursuant to Article XII of the constitution, of real or personal property and any surplus funds of the Association, and the House of Delegates concurring, such conveyances, transfers, deliveries and payments shall be authorized and made.

* * *

CHAPTER XI.—FINANCES

(Item 167.)

Section 1.—Annual Dues and Assessments

The annual dues and special assessments shall be determined by the House of Delegates, and shall be levied on the members of the Association, as otherwise herein provided.

Dues; When Payable.—They shall be payable on or before January 1, of the year for which they are levied.

County Secretaries to Collect Dues.—The Secretary of each component society shall cause to be collected and shall forward to the offices of the Association the dues and assessments for its members, together with such data as shall be required for a record of its officers and membership.

Suspension of Membership Because of Non-Payment of Dues.—Any member whose name has not been reported for enrollment and whose dues for the current year have not been remitted to the Secretary of this Association on or before April 1, shall stand suspended until his name is properly reported and his dues for the current year properly remitted.

(Item 168.)

Section 2.—Record of Fact of Payment of Dues

The record of payment of dues and assessments on file in the offices of the Association shall be final as to the fact of payment by a member and as to his right to participate in the business and proceedings of the Association and of the House of Delegates.

(Item 169.)

Section 3.—County Societies to Make Reports at Specific Times

Any county society which fails to make the reports required, at least thirty days before the Annual Session of the State Association, shall be held suspended, and none of its members or delegates shall be permitted to participate in any of the proceedings of the Association or of the House of Delegates, except on a two-thirds vote of the House of Delegates.

(Item 170.)

Section 4.—Dues Payments in Relation to Malpractice Defense

For the purposes of medical defense, in case such medical defense is being maintained at any particular time as one of the activities of the Association, a member shall be deemed in arrears from and during the period extending from April 1 of the current year until his dues and assessments shall have been received at the offices of the Association, through the secretary of the component society of

which he is a member. A member in arrears shall not be entitled to the privileges of any medical defense maintained by this Association.

(Item 171.)

Section 5.—Depositaries; Funds Deposited by Secretary-Treasurer

The depositary or depositaries of the Association shall be a bank or trust company or companies properly authorized by the Council. All funds received for the Association by any officer or agent thereof shall be promptly paid to the Secretary-Treasurer and by him deposited with the depositary.

A depositary shall pay out the money of the Association only upon check or draft signed as otherwise herein provided, countersigned by the chairman or other designated member of the Executive Committee. The Secretary shall issue such checks or drafts only upon vouchers approved by the Auditing Committee as elsewhere provided.

Revolving Fund.—A revolving fund in such amount as may from time to time be fixed by the Council shall be left with the Secretary-Treasurer from which fund immediate cash demands may be paid.

* * *

CHAPTER XII.—COUNTY SOCIETIES

(Item 172.)

Section 1.—Constitutions and By-Laws of Component County Societies

Each county society of this Association, which has adopted principles of organization not in conflict with the Constitution and By-Laws, rulings and procedures of this Association, and which is otherwise acceptable, on application, shall receive a charter from and become a component part of this Association.

Amendments to County Society Constitutions and By-Laws.—Such charters shall provide that the constitution and by-laws and procedures of the component member society shall not be amended in any way which might conflict with the Constitution and By-Laws of the American Medical Association and of this Association as originally drawn or as modified by competent authority, except by and with the written approval of the Council of this Association, upon instructions through a two-thirds vote of the House of Delegates.

(Item 173.)

Section 2.—County Society Charters; How Issued

Charters shall be issued only by the House of Delegates after approval by the Council, and shall be signed by the President and Secretary of this Association.

County Society Charters; How Revoked.—The House of Delegates, upon recommendation of the Council, after due hearing, shall have authority to revoke the charter of any county society whose actions are in conflict with the letter or spirit of the Constitution and By-Laws, policies and procedures of this Association.

(Item 174.)

Section 3.—Only One County Society in Any County

Only one medical society shall be chartered in any one county, provided that the physicians in a portion of any one county who can show adequate reasons satisfactory to the Council therefor, may be authorized to join some other county society as elsewhere provided for in this Constitution and By-Laws.

(Item 175.)

Section 4.—County Societies to Judge Qualifications of Applicants for Membership

Each county society shall judge the qualifications of its members. However, as such societies are integral parts of this Association and form the basis of membership in the American Medical Association,

it is necessary that the qualifications meet the minimum requirements of the State and National organizations. These minimum requirements are that to be eligible for election as an active member the applicant must hold the degree of Doctor of Medicine from an institution of learning accredited at the time of conferring such degree by the American Medical Association, and must be licensed to practice medicine and surgery in the State of California.

A member must not practice or claim to practice or lend his support, cooperation, or in any other way endorse any exclusive or sectarian system of medicine. He shall be honorable and ethical in his conduct and shall subscribe to the principles of medical ethics of the American Medical Association, and shall recognize the Councils of his component county society and of this Association as the proper authority to interpret any doubtful points in ethics.

Every applicant for membership in a county society shall fill out and sign in duplicate the application blanks provided by the society, which prescribe the necessary qualifications for membership. One copy of each such application shall be promptly forwarded to the office of this Association.

(Item 176.)

Section 5.—Appeals of Aggrieved Members From Judgment of County Societies; Procedures

Any physician who may feel aggrieved by the action of the society of his county in refusing him membership, or in censuring, suspending or expelling him, shall have the right to appeal to the Council of this Association within the period of two months next succeeding the date of such action of his county society, which appeal shall be in writing and filed within the said period in the office of the Secretary of this Association. Within a period of two months after a decision by the Council thereon, any party interested may appeal to the House of Delegates, whose decision in any case shall be final. Such appeal shall in like manner, be in writing and filed within said period of two months at the office of the Secretary-Treasurer of this Association.

(Item 177.)

Section 6.—Procedure for Council in Hearing Appeals

In hearing appeals, the Council shall review all questions involved and may appoint committees from its own number or any notary public to act as referee or referees for the purpose of taking evidence upon any point or question which shall thereafter be submitted to the full membership of the Council, and it shall use any lawful means in its judgment as will best and most fairly present all the facts involved. In every case of an appeal, the Council as a board and as individual councilors, shall exert their good efforts at conciliation and compromise, prior to any hearing being held upon the appeal.

(Item 178.)

Section 7.—Transfer Cards; How Issued

When a member in good standing in a county society moves to another county or other jurisdiction in this State, he shall on request, be given a transfer card, without cost, but he must assume such financial obligations as shall be deemed proper by the county society to which he is transferred, and to which he makes application for membership by transfer.

(Item 179.)

Section 8.—Membership in County Society Other Than County of Residence

A physician living on or near a county line may hold his membership in that county most convenient for him to attend, provided that the consent of the

society of the county in which such physician may reside be first obtained, and also the consent of the society which he desires to join.

(Item 180.)

Section 9.—County Society Rosters of Members and of Licensed Physicians in Counties

The Secretary of each county society shall keep a roster of its members and of the non-affiliated registered physicians of the county, on which shall be shown the full name, address, school and date of graduation, date of license to practice in this State and such other information as may be deemed necessary. In keeping such roster the county society's secretary shall note and at once notify the State Secretary of any changes in the personnel of the profession, by death, by resignation, or by removal to or from the county, and in making his annual report he shall endeavor to account for every physician who has lived in the county during the year. The secretary of each county society shall make a monthly report to the Secretary of this Association upon such forms and including such subjects, as the Council may authorize.

(Item 181.)

Section 10.—Assessment and Delegate Reports By County Society Secretaries

The secretary of each county society shall forward its assessments, together with its roster of officers and members, list of delegates and alternates and list of non-affiliated physicians of the county to the Secretary of this Association before the first day of March of each year.

Only those delegates and alternates who are duly elected and certified to the Association Secretary before March 1 may represent their society in the House of Delegates, unless upon request by a county society, the House by a two-thirds vote of members present and acting, permits delegates and alternates or other county member present, whose names were not properly forwarded, to be seated.

A delegate who does not attend an annual session at which he is a delegate, and who in writing, through the secretary of his county society does not submit to the Credentials Committee a valid excuse for such absence, shall automatically lose his office as delegate therewith, and shall not be eligible as a delegate from his county society until two years shall have passed.

The Association Secretary in January of each year, by letter to the president and secretary of each county society, shall remind each county society of the provisions of this section; and with the aid of the Credentials Committee and assistants, shall keep a proper record of absentees and other data.

(Item 182.)

Section 11.—Penalty for County Societies Not Paying Assessments

Any county society which fails to pay its assessments or make the report required on or before March 1 shall be held as suspended, and none of its members, delegates or alternates may participate in any of the business or proceedings of the Association or of the House of Delegates during the annual session of that year, nor thereafter, until all requirements for membership have been first met.

(Item 183.)

Section 12.—Procedure in Loss of Membership

No member of a county society shall be deprived of his membership unless by his own act, except by a two-thirds affirmative vote of all the regular membership in good standing of the county society to which he belongs present and voting at a regular meeting thereof, or by a two-thirds vote of its coun-

cil or board of officers, and only after at least six weeks' written notice personally delivered to the member, has been served upon him, fully stating the charges against him, and only after such member shall have been given full opportunity to be heard in his own defense at such meeting; but a member shall be dropped automatically on the revocation of his license to practice by the duly constituted and legal authority of the State of California vested at the time with the power to revoke such license.

(Item 184.)

Section 13.—Forfeiture of Rights and Interests Through Resignation

When a member resigns his membership in a county society, he shall thereby forfeit all right and title to any share in the privileges and property of the California Medical Association.

* * *

CHAPTER XIII.—MISCELLANEOUS

(Item 185.)

Section 1.—Ethics

The principles of medical ethics as promulgated from time to time by the American Medical Association are and shall be the principles of medical ethics of this Association and the component societies thereof, and shall regulate and govern all members thereof.

Interpretation of points in ethics about which any controversy may exist shall be submitted to the Council of this Association and its interpretation and ruling thereon shall be final, unless over-ruled by a two-thirds vote of the House of Delegates, as otherwise provided herein.

(Item 186.)

Section 2.—Rules of Order

In the absence of any provision in the Constitution and By-Laws all meetings of the Association, of the House of Delegates, of the Council, and of committees shall be governed by parliamentary usages contained in the current edition of Roberts' Rules of Order.

* * *

CHAPTER XIV.—AMENDMENTS

(Item 187.)

Section 1.—Amendments—Vote and Procedure

These by-laws may be amended by the House of Delegates at any session thereof by the affirmative vote of at least one-half of the qualified members thereof present and acting; provided, that any proposed amendment has been properly submitted in writing to the House of Delegates at least twenty-four hours previous to being voted upon.

(Item 188.)

Section 2.—Repeal of All Previous Constitutions and By-Laws

Upon the adoption of these By-Laws, all previous By-Laws are thereby repealed.

CONSTITUTION

Draft II. Proposed Revision of Constitution and By-Laws of the California Medical Association, Formulated by the General Counsel After Study by a Group of Councilors

Article I

NAME

Section 1. Name.—The name of this Association is the "California Medical Association."

Article II

PURPOSES

Section 1. Purposes.—The purposes of this Association are to promote the science and art of medicine, the protection of the public health, and the betterment of the medical profession; to unite in this Association the qualified ethical doctors of medicine

of California and to form with similar organizations in other states and territories of the United States, the American Medical Association.

Article III

COMPONENT SOCIETIES

Section 1. Component Societies.—Component societies shall be the county medical societies of the several counties of the state of California, whose constitutions, by-laws, procedure, rulings and activities conform to and are not in conflict with the Constitution, By-Laws, procedure, rulings and activities of this Association and which hold unrevoked charters from this Association. Where good cause exists a component society may comprise the membership of two or more adjoining counties.

Article IV

MEMBERSHIP

Section 1. The members of the Association shall consist of the following:

(a) Active Members, Qualifications and Rights.—Active members shall comprise all of the active members of all the component societies. No person shall be eligible for election to active membership in a component society unless he shall hold the degree of Doctor of Medicine issued to him by an institution of learning accredited at the time of conferring such degree by the American Medical Association nor unless he holds an unrevoked license to practice medicine and surgery in the state of California. An active member shall have the right of suffrage and all other rights and privileges of the Association.

(b) Associate Members.—Associate members shall be elected by the Council upon the recommendation of the component society of the county in which the associate member resides from those doctors of medicine engaged in teaching or research work or holding positions in Federal service or otherwise, who are not licensed to practice medicine and surgery in the state of California and hence are ineligible to active membership. Associate members shall have all the rights and privileges of active members except the right to vote or hold office. Dues of associate members shall be one-half of the dues of active members, and their dues to their component society (if an associate member is admitted to membership therein) shall be fixed by such component society. All existing affiliate members qualified hereunder shall become associate members.

(c) Retired Members.—Retired members of the California Medical Association may be elected by the Council on the recommendation of the component society of the county of which the retired member is a member from those active members who cease the practice of medicine for any reason, and who shall have been active members of the Association for ten years or more immediately prior thereto. Retired members shall pay such dues as the Council shall fix and shall be entitled to receive the monthly publication of the Association at such rate as the Council may determine.

(d) Honorary Members.—The House of Delegates on motion by the Council may elect as an honorary member any person distinguished for his service or attainments as a doctor of medicine or in the field of public health or for research or other scientific work contributing to medicine. Honorary members shall not pay dues.

(e) Affiliate Members.—Affiliate members shall be those persons heretofore elected as associate members who by education, training, and experience, in the sciences are so closely allied to medicine as to make their association with this Association desirable in the opinion of the Council. Affiliate members shall pay such annual dues and enjoy such rights and privileges as the Council shall from time to time prescribe.

Article V

HOUSE OF DELEGATES

Section 1. Composition of House of Delegates.—The House of Delegates shall consist of (1) delegates elected by the component societies, (2) the councilors,

and (3) ex-officio the president, president-elect and vice-president of the Association, and the speaker of the House of Delegates.

Sec. 2. Powers of House of Delegates.—The House of Delegates shall be the legislative body of the Association. It shall issue component society charters to county medical societies which it deems and finds eligible therefor, and may, after notice to any component society and due and proper hearing, revoke any such charter for cause. It shall form and group the component societies into councilor districts at least once every ten years. Such districting shall be based on medical population as evidenced by active membership in the various component societies and geographical area. It shall at the regular annual session thereof elect the president-elect, the vice-president, and the speaker of the House of Delegates, and in accordance with the Constitution and By-Laws of the American Medical Association, it shall elect the delegates of the Association to the House of Delegates of the American Medical Association. The House of Delegates shall provide for the division of the scientific work of this Association into appropriate sections.

Sec. 3. Sessions Other Than Executive Shall Be Open.—All sessions of the House of Delegates, other than executive sessions thereof, shall be open to all members of the Association.

Sec. 4. Basis of Representation of Component Societies.—Each component society shall be entitled to be represented by one delegate and one corresponding alternate and also by one delegate and one corresponding alternate for every fifty members thereof, and also by one delegate and one corresponding alternate for each fraction of fifty members thereof as of the first day of October of the year in which the election of delegates is had, or if such election be held prior to October, as of the first day of October of the year immediately preceding such election of delegates.

Sec. 5. Alternate Delegates.—An alternate delegate eligible to serve if any delegate who represents a component society is disqualified or fails to attend any meeting, shall be elected for each delegate.

Sec. 6. Term of Delegates and Alternates.—Qualifications.—Delegates and alternates shall be elected by the several component societies respectively for a term of two years, commencing with the first day of the regular annual session of the House of Delegates held after the election thereof and ending with the adjournment of the next regular session of the House of Delegates thereafter. One-half of the delegates and alternates representing each county society as near as may be shall be elected each year. Every delegate and alternate must be an active member of the Association and of his component society in good standing and have been such at least two years immediately preceding his election.

Article VI

SESSIONS AND MEETINGS

Section 1. Regular Annual Sessions of Association—Place and Notice.—The Association shall hold a regular session annually consisting of general meetings and section meetings for all members. Such meetings shall be held at such time and place as the Council shall fix and notice thereof and of the time and place of each general meeting shall be published in the monthly publication of this Association in at least two regular issues thereof preceding such regular sessions.

Sec. 2. Subjects of General and Section Meetings.—The general meetings and section meetings shall be devoted to addresses and papers relating to the purposes of the Association and to discussion and consideration thereof.

Sec. 3. Special Sessions of Association—Notice.—Special sessions of the Association may be called by a two-thirds vote of the House of Delegates or the Council and, if so called, shall be held at such time and place as the Council shall fix. The Council shall cause written notice thereof stating the object of the meeting, to be sent by United States mail, postage

fully prepaid, to each active member of the Association, addressed to him at his office or place of residence as shown by the records of the secretary's office, at least fifteen days prior to the date of meeting.

Sec. 4. Regular Annual Sessions of House of Delegates—Place and Notice.—The House of Delegates shall hold a regular session annually consisting of at least two meetings, the second whereof shall be convened at least twenty-four hours subsequent to the convening of the first meeting. The regular annual session of the House of Delegates shall be held at the same place as the regular annual session of the Association, and the Council shall fix the number of and times for the meetings thereof. The same notice shall be given of such sessions and the meetings thereof as that prescribed for the regular annual sessions of the Association.

Sec. 5. Special Sessions of House of Delegates—Place and Notice.—Special sessions of the House of Delegates may be called at any time by a two-thirds vote of the members of the Council at any regular or special meeting thereof or by written call stating the object of the meeting, filed with the secretary in the office of the Association and signed by one-third of the members of the House of Delegates. Upon the filing of such call with the secretary, the Council shall within thirty days thereafter fix the time and place for the holding of such special meeting and cause written notice thereof stating the object of the meeting to be sent by United States mail, postage fully prepaid, to each member of the House of Delegates addressed to him at his office or place of residence as shown by the records of the secretary's office, at least fifteen days prior to the date of meeting.

Article VII

OFFICERS

Section 1. Officers of the Association.—The officers of the Association shall be a president, a vice-president, a president-elect, a speaker of the House of Delegates, a chairman of the Council, a vice-chairman thereof, a secretary, and editor, and six councilors-at-large and nine district councilors as hereinafter provided.

Sec. 2. Term of Office—President-Elect, Vice-President, Speaker—Election by House of Delegates.—The House of Delegates at the regular annual session thereof shall elect the president-elect to serve until the adjournment of the final meeting of the House of Delegates at its next regular annual session. At the conclusion of the final meeting of the House of Delegates at the next regular annual session, the president-elect shall assume the office of president, and serve as such for the term of one year thereafter. The House of Delegates shall at the regular annual session thereof elect a vice-president and a speaker of the House of Delegates, each to serve for the term of one year. The president, president-elect, vice-president, and speaker of the House of Delegates shall be ex-officio members of the Council.

Sec. 3. Chairman of Council, Vice-Chairman, Secretary, Editor—Election and Appointment by Council.—The Council at the first meeting thereof held after the adjournment of the last meeting of the House of Delegates at the regular annual session thereof shall elect a chairman and a vice-chairman and shall appoint the secretary and the editor each to serve for the term of one year.

Sec. 4. Terms of Office—Vice-President, Speaker, Councilors.—The term of office of the vice-president and speaker of the House of Delegates (which terms are herein generally stated to be one year) and the term of office of the councilors (which terms are herein generally stated to be three years, shall commence immediately upon the adjournment of the last meeting of the regular annual session of the House of Delegates at which such officers are elected and shall continue up to the adjournment of the corresponding meeting of the year in which the term of office ends.

Sec. 5. Councilor Districts—District Councilors, Councilors-at-Large—Terms.—The component societies shall be grouped into nine councilor districts.

One councilor shall be elected at the meeting of the House of Delegates at which the councilors-at-large are elected, from each councilor district by the delegates elected by the several component county societies forming such councilor districts, and six councilors shall be elected at large. Not more than three councilors shall be elected from any one councilor district. All councilors shall serve for a term of three years. As the terms of the councilors now in office expire, elections to fill the vacancies thus created shall be had and for such terms to be fixed by the House of Delegates that as soon as may be, the terms of one-third of the councilors selected from councilor districts and one-third of the councilors elected at large shall expire annually.

Sec. 6. Appointment of Secretary and Editor—Not to Engage in Practice of Medicine—Emergency.—The Council shall appoint the secretary and the editor as hereinafter provided. Neither the secretary nor the editor shall engage in the practice of medicine while acting as secretary or editor respectively; provided that if the Council by a two-thirds vote of all of its members declares that an emergency exists in the matter of securing a competent or desirable secretary or editor, then a secretary or editor engaged in active practice may be selected for a period of not exceeding one year.

Sec. 7. Secretary and Editor must Be Doctors of Medicine but Need not Be Members.—No person shall be eligible to the office of secretary or editor who does not hold the degree of Doctor of Medicine, but membership in this Association shall not be a necessary qualification for the office of either editor or secretary.

Sec. 8. Qualification for Office.—No person shall be eligible for any office other than secretary or editor who has not been an active member of the Association in good standing for two years next preceding his election, and no person shall hold more than one office except that the same person may be appointed to serve as secretary and editor. Provided that if the Council by a two-thirds vote of all its members declares that an emergency exists, one person may hold more than one office in addition to or other than those of secretary and editor, for a term not exceeding one year. No person shall be eligible to the office of speaker who is not a member of the House of Delegates by which he is elected.

Sec. 9. Officer to Hold Office Until Successor Is Elected.—Every officer shall hold office until his successor is elected and installed in office.

Article VIII

COUNCIL

Section 1. The Council—Organization—Quorum.—The Council shall consist of the councilors and ex-officio the president, the president-elect, the vice-president, and the speaker of the House of Delegates. At the first meeting thereof held after the adjournment of the last meeting of the House of Delegates at the regular annual session thereof, the Council shall organize by the election of one of the councilors as chairman of the Council who shall serve as such up to the adjournment of the last meeting of the next succeeding regular annual session of the House of Delegates, and also a vice-chairman who, in the absence of the chairman, shall perform the duties of the chairman. Nine councilors shall constitute a quorum.

Sec. 2. Appointment of Auditing Committee, Secretary, Editor, General Counsel, Assistant General Counsel.—The Council at the first meeting thereof held after the adjournment of the last meeting of the annual session of the House of Delegates, shall appoint an Auditing Committee of three of its members and the chairman thereof to serve for the term of one year. The Council at said meeting shall appoint for one year or for a lesser period and fix the compensation of the following officers: A secretary, who shall be the chief administrative officer of the Council and of the Association; an editor or editors of all publications of the Association; a general counsel, and an assistant general counsel. The Council may employ other agents and representatives on an annual basis

or for lesser periods, provide their duties and fix their compensations. The term of one year herein provided shall commence immediately on appointment and continue up to the first meeting of the Council held after the adjournment of the last meeting of the next regular session of the House of Delegates. In the event that a vacancy shall occur in the office of councilor, the Council may appoint a councilor to serve until an election is held at the next regular meeting of the House of Delegates to fill such unexpired term.

Sec. 3. Powers of Council—Budget.—Subject only to provisions of this Constitution and the By-Laws and all resolutions and enactments of the House of Delegates, the Council shall be vested with full and complete power and authority to manage, control, use, invest, reinvest, lease, make contracts in respect of, and concerning, convey, give, grant, transfer, or otherwise dispose of all property and assets of whatever kind or nature owned by the Association, and shall also be vested with full and complete power and authority to do and perform all acts and to transact all business for and on behalf of the Association and to manage and conduct all the work and activities of the Association in carrying out the purposes thereof. Through its chairman, it shall submit a budget for the ensuing year to the House of Delegates, and it shall make a report of its proceedings to the House of Delegates at the regular annual session thereof.

Sec. 4. Powers and Duties to Executive Committee.—The Council shall have the authority to delegate such of its powers and duties to the Executive Committee as it shall from time to time determine.

Sec. 5. Meetings and Other Duties.—The Council shall hold such meetings and perform such other duties as are provided by the By-Laws or as the House of Delegates may by resolution prescribe.

Article IX

EXECUTIVE COMMITTEE

Section 1. Executive Committee—Composition—Quorum—Powers and Duties—Record of Proceedings and Reports to Council.—The Executive Committee shall consist of the president, the president-elect, the speaker of the House of Delegates, the chairman of the Council, the vice-chairman of the Council, the chairman of the Auditing Committee, the secretary, and the editor. The Executive Committee shall elect its own chairman and the secretary shall act as the secretary thereof. Four members shall constitute a quorum. The Executive Committee shall aid and assist the officers and the Council in the transaction of the business of the Association in the intervals between the meeting of the Council. It shall prepare and submit a draft of the financial budget to the Council at least ——— days prior to the annual meeting of the House of Delegates. It shall have such powers and duties as the Council shall from time to time determine. It shall keep a record of its proceedings and report them to the Council and all of its proceedings shall be authorized by or subject to the approval of the Council.

Article X

FUNDS, PROPERTY AND ASSESSMENTS

Section 1. Annual Assessment of Dues—Other Sources of Funds.—Funds shall be raised by an equal annual per capita assessment of dues upon the active members and by an equal annual per capita assessment thereof upon the associate members. The amount of the assessments shall be fixed by the House of Delegates. Funds may also be raised by voluntary contributions, through bequests, legacies, devises and gifts, and from the Association's publications and in any other manner approved by the House of Delegates. All resolutions providing for appropriations shall be referred to the Council and all appropriations approved by the Council shall be included in the annual budget.

Sec. 2. All Funds and Moneys to Be Paid to Secretary and Deposited with Depositary.—All funds and moneys received for the Association by any officer or agent thereof shall be promptly paid to the secre-

tary and by him deposited with a depositary selected as such by the Council. All depositaries selected by the Council shall be banks or trust companies duly licensed to transact business as such in the state of California.

Sec. 3. Only Active Members in Good Standing Have Any Interest in Association Property.—No person other than an active member in good standing shall have any interest in the property of the Association, and the interest of any active member therein shall cease when he ceases to be a member of the Association. If any active member shall resign or otherwise cease to be an active member of the Association, all of his interest in and to all property of the Association shall cease and such cessation of membership shall operate as a release and assignment to the Association of all the right, title and interest of such member in and to all of the property of the Association.

Article XI

REFERENDUM

Section 1. Submission Through House of Delegates or Council.—The House of Delegates at any meeting thereof at any regular or special session may by a two-thirds vote of the members present and acting or the Council at any meeting thereof may by a two-thirds vote of all of its members, submit any question, matter or proposition to all the active members of the Association by mail and a majority of the votes cast by mail by the active members of the Association shall be final and bind and govern the Association upon the question, matter or proposition so submitted to the membership.

Sec. 2. Procedure on Vote.—The Council shall prescribe, fix, and determine the form of the question, matter or proposition so referred to the members and the time within which such vote shall be cast. All votes must be in writing and mailed or delivered to the secretary's office. The canvass thereof shall be under the direction of the Council.

Sec. 3. Time Within Which Referendum May Be Taken.—The action of the House of Delegates shall be final and binding upon all members of the Association unless a referendum as herein provided is voted by the House of Delegates at the same meeting thereof at which the action was taken or the vote or resolution was had or adopted, or unless the Council by a two-thirds vote of all its members, shall within the period of thirty days after the adjournment of such meeting of the House of Delegates vote to hold a referendum on such action, vote or resolution of the House of Delegates.

Article XII

INCORPORATION

Section 1. Procedure to Form Corporation—Kind—Transfer of Property.—To aid in carrying out the object of the Association, the House of Delegates at any meeting of any regular or special session thereof may by a two-thirds vote of the members thereof present and acting, authorize, empower and direct the Council to cause the formation and organization of a nonprofit corporation under the laws of the state of California, without capital stock, with such incorporators, name, purposes, objects, principal place of business, term, number of directors and directors to serve for the first year and until their successors are elected, and with such provisions regarding the voting power and property rights and interests of the members of the corporation and such further provisions in the Articles of Incorporation thereof, and with By-Laws, and composed of such members representing this Association as the Council shall prescribe, fix and determine. The House of Delegates may at its option in connection with the granting and giving of such authority, power and direction to the Council, prescribe, fix, and determine any or all such matters pertaining to the said corporation, its Articles of Incorporation, and any provision thereof, By-Laws and membership, and its action thereof shall bind the Council; and the House of Delegates at any session

of any regular or special meeting thereof may by a two-thirds vote of the members thereof present and acting, authorize, empower and direct the Council to grant, assign, transfer, convey and deliver to the said corporation upon the formation thereof without any consideration therefor, any property, real or personal, of the Association, which authorization, power and direction may be given prior or subsequent to the formation and organization of said corporation.

Article XIII

MONTHLY PUBLICATION

Section 1. Scientific Journal.—The Association shall publish a scientific journal in the interest of the Association and its members devoted to the advancement of medical thought and progress and the dissemination of scientific information among the medical profession.

Article XIV

OFFICE

Section 1. Main Office at San Francisco.—The main office of the Association shall be fixed and located at the city and county of San Francisco, state of California; all books and records of the Association shall be kept at such office and it shall be the office of the secretary and the editor.

Article XV

SEAL

Section 1. Seal—Imprint.—The Association shall have an Association seal consisting of a circle having on the circumference the words and figures "California Medical Association, Eureka, 1865," with such further emblems, figures and words as the Council shall prescribe.

Article XVI

AMENDMENTS

Section 1. Procedure to Amend Constitution.—Any member of the House of Delegates at any session or any regular annual meeting thereof may present an amendment or amendments to any article or articles or any section or sections of any article of this Constitution. Such proposed amendment or amendments must be in writing and shall be filed with the secretary and shall thereafter be published at least twice in separate issues of the monthly publication of this Association. At the first regular session of the House of Delegates thereafter held, such proposed amendment or amendments shall be submitted to the House of Delegates and if two-thirds of the delegates present and voting, vote in favor thereof, the same shall be adopted. The House of Delegates, may, however, by majority vote continue consideration of and vote upon any proposed amendment or amendments, to the next succeeding annual session, and in such event the same publication thereof shall be made as above provided. All amendments to the Constitution shall take effect and be in force immediately upon the adoption thereof.

Article XVII

REPEAL OF ALL PROVISIONS OF PRESENT CONSTITUTION

Section 1. Repeal of Present Constitution.—All articles and all sections of all articles of the existing Constitution are hereby repealed.

BY-LAWS

Chapter I

COMPONENT SOCIETIES

Section 1. Component Society Charters.—The charter of each component society shall provide that all the provisions of the Constitution and By-Laws of this Association in force at the time of the issuance of such charter together with all amendments to either thereof thereafter adopted shall, insofar as the same are applicable, be an integral part of the Constitution and By-Laws of the component society to which the charter is issued, and that the terms and provisions thereof shall control and govern such component society, the officers and members thereof, and that the Constitution and By-Laws of the component society shall not be amended in any way to conflict

or be inconsistent with the Constitution and By-Laws of this Association. Each charter shall be signed by the president and secretary of this Association.

Sec. 2. Revocation of Component Society Charters.—The charter of any component society may be revoked by the House of Delegates if, after the filing with the secretary of the Association of a written petition or protest signed either by the chairman of the Council pursuant to resolution adopted by the Council by the affirmative vote of two-thirds of all the members thereof, or by ——— active members of the Association at large and after due notice of hearing and hearing thereof, it determines that the provisions of the Constitution or By-Laws of the Association or of the charter of such society have been breached by such society or that such society has committed acts or conducted itself in conflict with the Constitution, By-Laws, or purposes of this Association.

Sec. 3. Only One Component Society in Any County.—Only one component society shall be chartered by this Association in any one county of the state of California, provided, however, that a component society may for good cause authorize the formation and existence of branch societies for scientific investigation and work only, the members of which must be members of such component society.

Sec. 4. Component Society Comprising two or More Adjoining Counties.—A component society may be chartered to comprise the eligible doctors of medicine resident in two or more adjoining counties in such cases where the interest of the membership will be best served thereby.

Sec. 5. Component Society Sole Judge of Qualifications for Membership.—Each component society shall be the exclusive judge of the qualifications for membership therein, provided, however, that eligibility for admission as an active member shall be based upon the minimum requirements of the Constitution of this Association therefor.

Chapter II

MEMBERSHIP

Section 1. Active Members—Status Of.—All active members of component societies shall by virtue of such status be members of this Association upon certification by the secretary of the component society of such membership and upon payment of all dues and assessments of this Association.

Sec. 2. Dues When Payable and Delinquent.—The dues of all members for the fiscal year, *viz.*, the calendar year, shall be payable in advance on January 1, and be delinquent April 1, after which \$1 shall be added thereto. Any member whose dues are not paid on or before July 1, together with the sum of \$1, if paid after April 1, shall cease to be a member of the Association. No dues payable to any component society by any member thereof shall be accepted by such component society, unless all unpaid dues to this Association are paid therewith. The dues of any active, associate or retired member who becomes a member after July 1 in any year, shall be one-half of the regular annual dues for a member of that class for the remainder of such year.

Sec. 3. Component Society Secretaries to Furnish Lists of Members and Remit Dues.—It shall be the duty of the secretary of each component society to furnish the secretary of this Association on the first day of January of each year a list containing the names and addresses of all active members of the component society and the names and addresses of all associate and retired members of this Association residing in the county or counties comprising the component society and to remit therewith the dues and assessments due and payable to this Association for the ensuing year payable by each of said members; and thereafter on the first of each month to furnish the secretary of the Association the names of any members admitted during the current month with their addresses and the dues and assessments therefor, and with any other changes in membership or addresses.

Sec. 4. Component Society Secretaries to Furnish Data on Applications for Membership.—The secretary of each component society shall notify the secretary of this Association in writing as soon as possible of each application for membership in such component society, of the name, address, and all other particulars regarding the applicant known to the secretary of such component society.

Sec. 5. Membership Where no Component Society or in Society Most Convenient.—Any doctor of medicine residing in a county of the state in which there is no component society may make application and if qualified and elected be admitted to the component society most convenient to the county in which he resides. Any doctor of medicine living on or near a county line may apply for and be elected to membership in that component society most convenient for him to attend, provided that the consent of the component society of the county in which the doctor resides be first obtained.

Sec. 6. Membership on Changes of Residence—Six Months' Residence Necessary for Qualification.—A member who changes his residence from the county in which he holds membership in a component society to another county of the state in which there is a component society, may retain his membership in the component society of which he is a member, provided he applies for membership in the component society of the county to which he has removed within six months from the date of his change of residence, and is not elected as a member thereof. If elected to membership in the component society of the county to which he has removed his residence, his membership in the society of his former residence shall cease. No doctor shall be eligible for election in a component society who has not resided continuously in the county at least six months immediately prior thereto.

Sec. 7. Expulsion and Loss of License.—Any member expelled from his component society, or any active member whose license to practice medicine and surgery in the state of California is revoked shall thereupon cease to be a member of this Association. Expulsion shall be deemed to occur when the same becomes final under the Constitution and By-Laws of this Association. Revocation of license shall be deemed to occur when the same becomes final in law.

Sec. 8. Appeal to Council and to House of Delegates.—Any physician who may feel aggrieved by the action of his component society in censuring, suspending or expelling him, shall have the right to appeal to the Council of this Association within the period of three months next succeeding the date of such action of his component society, which appeal shall be in writing and filed within the said period in the office of the secretary of this Association. Within the period of three months after a decision by the Council thereon, any party interested may appeal to the House of Delegates, whose decision in any case shall be final. Such appeal shall, in like manner, be in writing and filed within said period of three months at the office of the secretary of this Association. Appeals shall be heard only after reasonable notice in writing to the appellant member and the president and secretary of the component society of the time and place of the hearing of the appeal.

Sec. 9. Hearing Appeals.—In hearing appeals the Council or the House of Delegates, as the case may be, shall review all questions involved and may appoint committees or any notary public to act as referee for the purpose of taking evidence upon any point or question, which shall thereafter be submitted to the Council or to the House of Delegates as the case may be, and the body before whom the appeal is pending shall use any lawful means in its judgment as will best and most fairly present all the facts involved. In every case of appeal the Council as a board and as individual councilors, shall exert all proper efforts at conciliation and compromise prior to any hearing being held upon the appeal by the Council or the House of Delegates.

Chapter III

HOUSE OF DELEGATES

Section 1. Component Society Secretaries to Furnish Lists of Delegates and Alternates.—The secretary of each component society shall immediately upon the election thereof and in no event later than fifteen days prior to the annual session of the House of Delegates forward to the secretary of this Association the names and addresses of the delegates and alternates elected by the component society to the House of Delegates and certify to the secretary of this Association the date of such election and the term for which each delegate and alternate is elected. Failure to forward said names and addresses within said time to the secretary shall disqualify said delegates and alternates for said session, unless the Council, for good cause shown, shall excuse such default.

Sec. 2. Delegates or Alternates Absent from Session Disqualified.—Any delegate or alternate absent from an annual session to which he has been duly elected, who has not notified the secretary of his component society at least fifteen days before the convening of said session of his inability to attend, shall be ineligible for reelection as a delegate or alternate for the next two years succeeding the expiration of his term of office.

Sec. 3. Rights and Duties of Alternate Delegates.—An alternate delegate shall take the place and perform the duties of any delegate of the delegation from such component society who is absent from any meeting, provided, however, that an alternate shall have no right to sit as a delegate if there is no vacancy in the number of delegates to which the component society is entitled in attendance at the meeting.

Sec. 4. Quorum.—Thirty-five delegates shall constitute a quorum of the House of Delegates.

Sec. 5. Powers and Duties—Memorials and Resolutions.—The House of Delegates shall be vested with the powers and perform the duties provided in the Constitution. The House of Delegates alone shall have authority to approve any memorial or resolution of whatever character issued in the name of the Association.

Sec. 6. Special Committees.—The House of Delegates is authorized to appoint committees for special purposes at any time from among the members of the Association at large, but such committees shall report only to the House of Delegates, and may upon request of the House of Delegates participate in the discussion of such reports.

Sec. 7. Approval of Annual Budget.—The House of Delegates shall approve an annual budget of expenditures to be submitted to it by the Council.

Chapter IV

SESSIONS AND MEETINGS

Section 1. Registry of Members.—Each member of the association in attendance at the annual session shall register with the secretary, and no member shall take part at the annual meetings of the session unless he has registered and holds a membership card.

Sec. 2. General Meetings Open—Addresses of President and President-elect.—The general meetings of the Association shall be open to all registered members and guests. The annual addresses of the president and president-elect shall be delivered at the general meetings of the Association.

Sec. 3. All Meetings of Same Session in Same Locality.—The general meeting of the Association, the meetings of the House of Delegates, and the section meetings at any session shall be held in the state of California at the same locality and as nearly as possible in the same buildings or adjoining buildings.

Sec. 4. Papers Property of Association—No Publication Thereof.—All papers read before the general meetings of the Association and before the scientific sections and all papers which have been awarded prizes or mention shall be the property of the Association, and each paper after reading shall be deposited with the secretary. Authors of papers read before

the general meetings or scientific sections of the Association shall not publish their papers or any portion thereof except with the consent of the Association.

Sec. 5. House of Delegates Meetings, No New Business at Final Meeting, Election.—At each annual session the House of Delegates shall hold at least two meetings, the second of which shall convene at least twenty-four hours after the convening of the first. No new business of any kind by resolution or otherwise, except by unanimous consent and after previous general statement of the nature thereof, shall be introduced at the final meeting of the House of Delegates at any session. The election of all officers elected by the House of Delegates shall be by ballot (unless a ballot be waived by unanimous consent) and shall be had at the last meeting thereof at any annual session. Special sessions shall consist of such number of meetings as the House of Delegates shall determine.

Sec. 6. Regular Council Meetings.—The Council shall meet on the day preceding the annual session of the Association and daily during such session, and shall also hold at least three other regular meetings during the year, at least one of which shall be held in the southern part of the state. The time and place of each of such meetings shall be fixed by the Council at a previous meeting and at least ten days' notice by mail shall be given each councilor by the secretary of the time and place of such regular meetings.

Sec. 7. Special Council Meetings.—Special meetings of the Council may be called by the chairman at any time and he shall call such meeting upon the written request of at least three councilors, filed with the secretary stating the object of the proposed meeting. Written notice of the time, place and object of such meeting shall be given by the secretary to all members of the Council at least seven days prior to such meeting. All special meetings of the Council shall be held at the office of the Association unless another place is selected by unanimous consent of all members of the Council.

Sec. 8. Executive Committee Meetings.—The Executive Committee shall meet on call of the president, or the chairman of the Council or the secretary, on forty-eight hours notice by mail or telegraph, if the meeting is to be held at the office of the Association, otherwise on at least three days notice of the meeting.

Sec. 9. Robert's Rules of Order.—In the absence of any provision in the Constitution and By-Laws all meetings of the Association, House of Delegates, Council and committees shall be governed by parliamentary usages contained in the current edition of Robert's Rules of Order.

Chapter V

POWERS AND DUTIES OF OFFICERS

Section 1. President.—The president shall preside at all general and special meetings of the Association; he shall appoint all committees not otherwise provided for; he shall deliver an annual address at the annual meeting of the Association and perform such other duties not inconsistent with the Constitution and By-Laws as the Council or House of Delegates may direct. He shall be ex-officio a member of the Council.

Sec. 2. Vice-president.—The vice-president shall in the absence or inability of the president to act, be vested with all the power and perform all the duties of the president. He shall be ex-officio a member of the Council.

Sec. 3. President-elect.—The president-elect shall be ex-officio a member of the Council.

Sec. 4. Speaker of the House of Delegates.—The speaker of the House of Delegates shall preside over all meetings of the House of Delegates and shall, with the approval of the president and chairman of the Council, appoint all committees of the House of Delegates not otherwise provided for, and he shall perform such other duties as custom and parliamentary usage may require. He shall be ex-officio a member of the Council.

Sec. 5. Chairman of the Council.—The chairman of the Council shall preside at all meetings of the Council. The chairman of the Council shall sign all contracts and checks or drafts for the withdrawal of funds of the Association. He shall deliver the annual report of the Council to the House of Delegates.

Sec. 6. Vice-chairman of the Council.—The vice-chairman of the Council in the absence or inability of the chairman to act, shall be vested with all the powers and shall perform all the duties of the chairman.

Sec. 7. Secretary.—The secretary shall attend all meetings of the Association, the House of Delegates, the Council and the Executive Committee and shall keep the minutes of their respective proceedings. He shall be ex-officio secretary of the Council and of the Executive Committee. The secretary's powers and duties shall include: The prompt deposit of all funds and moneys of the Association in any designated depository thereof; countersigning all checks and drafts on the depository of the Association; countersigning all contracts and agreements to which the Association is a party; keeping a register of all component societies, their respective officers, and of all members of the Association with their addresses; giving of all notices required by the Constitution and By-Laws or by order of the Council, or by the Executive Committee, or by law; employing such assistants as may be authorized by the Council; one of whom, upon authorization of such employment by the Council shall be termed the "field secretary." The field secretary shall be a doctor of medicine, acting under the direction of the secretary, whose duties shall particularly concern the economic and scientific problems and welfare of the several component societies and the members thereof; all assistants of the secretary shall serve at the pleasure of the secretary; providing for the registration of delegates, alternates and members at the sessions of the Association and House of Delegates; cooperating with the secretaries and officers of the component societies in all matters affecting the association and the component societies; the supervising and the proper keeping of all of the records and accounts of the Association acting as custodian of all its books, papers and records; compiling an annual directory of all members of the Association; examining, rejecting and approving, under the control of the Council and Executive Committee all applications for advertisements in the publications of the Association. The secretary shall perform such other duties as the House of Delegates or Council may direct and shall be the chief administering officer of the Association. He shall make an annual report to the House of Delegates.

Sec. 8. Editor.—The editor shall compile, edit and have charge of the journal of the Association and such other publications as may be authorized for or on behalf of the Association.

Sec. 9. General Counsel and Assistant General Counsel.—The general counsel and assistant general counsel shall be attorneys at law licensed to practice and practicing their profession in the state of California. The general counsel shall be the chief consulting officer of the Association in all legal matters and subject to the approval and direction of the Council and Executive Committee shall have general control of all matters of legal import concerning the Association. The assistant general counsel shall assist the general counsel in matters of legal import to the Association and its members.

Chapter VI

COUNCIL

Section 1. Mail Ballot.—The chairman of the Council at any time may direct the secretary to submit any urgent matter or question to the Council by mail ballot, and the vote of two-thirds of the members upon such question by mail or telegraph shall be binding upon the Council.

Sec. 2. Registry.—Each councilor shall register with the secretary his address where he desires all

notices to be sent to him which are sent by mail or telegram.

Sec. 3. Order of Business.—At meetings of the Council business shall be transacted as the Council may determine from time to time by resolution. The Council shall provide and fix the order of business of the sessions and meetings of the House of Delegates. All elections of officers elected by the Council shall be by ballot unless waived by unanimous consent.

Sec. 4. Powers and Duties.—Annual Report to House of Delegates—Budget.—The Council shall be vested with the powers and perform the duties provided in the constitution. The Council shall approve the annual report of the chairman to the House of Delegates at the regular annual session thereof, and shall therein report to the House of Delegates all material and important matters transacted by the Council or Executive Committee during the preceding year and all material and important matters affecting the Association or its members; with said report it shall submit a budget of expenditures for the ensuing year.

Sec. 5. Review of Acts and Proceedings of Executive Committee.—At each meeting of the Council it shall examine, review, and act upon all acts and proceedings of the Executive Committee had and taken subsequent to its last meeting.

Chapter VII

COMMITTEES AND SCIENTIFIC SECTIONS

Section 1. Regular Committees.—The regular committees of this Association shall be as follows:

- (a) Auditing Committee.
- (b) Committee on Arrangements.
- (c) Committee on Scientific Work.
- (d) Reference Committee.
- (e) Committee on Industrial Practice.
- (f) Committee on Technical Specialties.
- (g) Committee on Medical Education.
- (h) Committee on Hospitals.
- (i) Committee on Public Policy and Legislation.

Sec. 2. Auditing Committee.—In accordance with the provisions of the Constitution an Auditing Committee of three members of the Council and the chairman thereof shall be elected annually by the Council. The Auditing Committee shall make a report annually to the House of Delegates setting forth in detail the status of the property, funds and finances of the Association.

Sec. 3. Committee on Arrangements.—The Committee on Arrangements shall have charge of all arrangements other than those relating to the scientific program necessary for the annual session of the Association and the annual session of the House of Delegates. It shall consist of five active members of the Association at large, at least three of whom shall be members of the component society of the county in which the said annual sessions are to be held. The president shall appoint the committee and the chairman thereof at least six months prior to the convening of the annual sessions for which the committee is to function. The term of office of the members of the committee shall be one year.

Sec. 4. Committee on Scientific Work.—The Committee on Scientific Work shall consist of the secretary of the Association, the secretary of the scientific section of general medicine, the secretary of the scientific section of surgery and four members of the Association who shall be elected by the House of Delegates for a term of four years, one member thereof to be elected each year. Said term shall commence at the adjournment of the last meeting of the session of the House of Delegates at which the member was elected, and continue until the adjournment of the corresponding meeting of the fourth annual session of the House of Delegates thereafter. The secretary of the Association shall be the chairman thereof. The committee shall determine the character and scope of the scientific proceedings of the Association and prepare and arrange for the presentation

of scientific program at the general meetings and section meetings of the annual sessions.

Sec. 5. Reference Committee.—The Reference Committee shall consist of five members of the House of Delegates and the members and chairman thereof shall be appointed by the President, chairman of the Council and speaker of the House of Delegates at the first meeting of the House of Delegates at the annual session thereof. The addresses of the president, president-elect and invited speakers at the general session of the Association, the report of the Council to the House of Delegates, the budget and all proposed amendments to the Constitution or By-Laws and all resolutions and matters introduced or brought before the House of Delegates shall be referred to the Reference Committee unless such reference is dispensed with by unanimous consent of all members present. At a subsequent meeting of the House of Delegates at the same session the committee shall present a written report dealing with and making recommendations on all matters submitted to it. The report of the committee shall be read by the chairman first as a whole and the House of Delegates shall then act and vote upon the report section by section.

Sec. 6. Committee on Industrial Practice.—The Committee on Industrial Practice shall consist of fifteen active members of the Association at large specializing or interested in industrial practice selected generally so as to give representation to all parts of the state. The committee shall keep in touch with and report to the Council from time to time on matters and problems peculiarly connected with industrial practice. The Council shall appoint the committee and the chairman and two vice-chairmen thereof. The committee shall serve at the pleasure of the Council.

Sec. 7. Committee on Technical Specialties.—The Committee on Technical Specialties shall consist of five active members of the Association at large. The committee shall keep in touch with and report to the Council from time to time on matters and problems affecting and concerning the technical specialties connected with the practice of medicine such as medical social service workers, physiotherapists, x-ray technicians, laboratory technicians and similar auxiliary medical workers or persons. The Council shall appoint the committee and the chairman thereof and the committee shall serve at the pleasure of the Council.

Sec. 8. Committee on Medical Education.—The Committee on Medical Education shall consist of three active members of the Association at large and shall serve in this state for the Council on Medical Education of the American Medical Association, and shall have referred to it all questions pertaining to medical education. The Council shall appoint the committee and the chairman thereof and the committee shall serve at the pleasure of the Council.

Sec. 9. Committee on Hospitals.—The Committee on Hospitals shall consist of active members of the Association at large and shall serve in this state for the Council on Hospitals of the American Medical Association, and shall have referred to it all questions pertaining to hospitals. The Council shall appoint the committee and the chairman thereof, and the committee shall serve at the pleasure of the Council.

Sec. 10. Committee on Public Policy and Legislation.—The Committee on Public Policy and Legislation shall consist of active members of the Association at large and shall investigate all matters of public policy and legislation affecting medical progress and the members of the medical profession. The Council shall appoint the committee and the chairman thereof and the committee shall serve at the pleasure of the Council.

Sec. 11. Regular and Special Committees.—Regular and special committees of the Association may make investigations and surveys on authorization of the Council or House of Delegates, but all recommendations and reports of all committees (unless expressly otherwise provided in the Constitution

or By-Laws), must be submitted only to the Council or House of Delegates. Other than as herein stated no committee is authorized to act for or represent this Association.

Sec. 12. Additional Committees.—The Council and the House of Delegates are authorized and empowered to appoint additional committees, whenever it is deemed necessary or desirable by either body.

Sec. 13. Scientific Sections.—The scientific work of the Association shall be divided into twelve scientific sections as follows: General Medicine; General Surgery; Pediatrics; Eye, Ear, Nose and Throat; Urology; Anesthesiology; Obstetrics and Gynecology; Radiology; Industrial Medicine and Surgery; Pathology and Bacteriology; Dermatology and Syphilology; and Neuropsychiatry. The members of each section shall at the regular annual session of the Association elect a chairman and a secretary of the section to serve for the term of one year. Each of the sections shall present a scientific program at the annual session of the Association.

Chapter VIII

FUNDS, PROPERTY, AND ASSESSMENTS

Section 1. Annual Assessment.—An annual per capita assessment of dues upon all active members, and an annual per capita assessment of 50 per cent thereof upon all associate members, shall be recommended by the Council to the House of Delegates, but the House of Delegates shall be authorized to fix the amount of the said assessments.

Sec. 2. Payment of Dues and Delinquency.—Said annual assessment or dues shall be payable and delinquent and a member shall forfeit his membership for nonpayment thereof as herein elsewhere in these By-Laws provided.

Sec. 3. Bequests, Legacies, Donations, and Gifts.—The Association may also receive through the Council or any corporation which may be formed pursuant to Article XII of the Constitution, such bequests, legacies, donations, and gifts as the Council shall deem it proper and suitable to accept.

Sec. 4. Funds and Moneys—Deposit and Withdrawal.—All funds and moneys of the Association by whomsoever received shall be paid promptly forthwith to the secretary of the Association and deposited by him in a depository of the Association. No demands or claims against the Association shall be paid and no funds or moneys of the Association withdrawn from any depository thereof except upon written voucher approved by the signature of at least two members of the Auditing Committee on check or draft signed by any two of the following: the chairman of the Council, the vice-chairman, chairman of the Auditing Committee, and the secretary.

Sec. 5. Surplus Funds from Journal and Publications.—Any surplus funds arising from the conduct and operation of the journal or other publications of the Association may be applied and used by the Council for any purposes deemed suitable by it or may be delivered and paid over to any corporation which may be formed pursuant to Article XII of the Constitution on authorization therefor by the House of Delegates.

Sec. 6. Property and Funds May Be Transferred to Corporation.—The Council in its annual report to the House of Delegates may recommend the conveyance, transfer, delivery and payment over to any corporation which may be formed pursuant to Article XII of the Constitution of real or personal property and any surplus funds of the Association, and the House of Delegates shall authorize such transfer.

Chapter IX

MISCELLANEOUS

Section 1. Ethics.—The principles of medical ethics as promulgated from time to time by the American Medical Association are and shall be the principles of medical ethics of this Association and the component societies thereof, and shall regulate and govern all members. Interpretation of points in ethics about which any controversy may exist shall be submitted

to the Council, and its interpretation and ruling thereon shall be final.

Chapter X

AMENDMENTS

Section 1. Amendments—Vote and Procedure.—These By-Laws may be amended by the House of Delegates at any session thereof by the affirmative vote of two-thirds of the members thereof present and acting; provided, that any proposed amendment has been submitted in writing and laid upon the table for twenty-four hours previous to being voted upon.

Chapter XI

Section 1. These By-Laws shall take effect upon adoption thereof and all existing By-Laws are hereby repealed.

ENABLING ACT

The so-called "Enabling Act" is printed below. This Enabling Act is a special provision or amendment to the present Constitution which if adopted at the next annual session would permit the House of Delegates to consider and modify or otherwise change any amendments whatsoever, without necessitating a one year's notice.

ENABLING ACT

Amend Article XII of the Constitution relating to Amendments by striking out the existing article and substituting in lieu thereof, the following:

The House of Delegates at any annual meeting including the meeting at which this amendment is adopted may amend any article of this constitution by a two-thirds vote of the delegates present and acting; provided that any amendment to the constitution is submitted in writing and laid on the table for twenty-four hours previous to being considered and acted upon.

COMPONENT COUNTY SOCIETIES

FRESNO COUNTY

The June meeting of the Fresno County Medical Society was held after a seven o'clock dinner at the Hotel Californian, Fresno. The meeting was particularly well attended.

Prof. Robert L. Richards of the Department of Psychiatry, University of California, spoke on "Mental Growth and Ills of Childhood."

Doctor Richards defined "mental" as the functioning of the brain cortex—a part of the body. The brain cortex is composed of cells having transmitting processes that develop and transmit reserve force. There are nine thousand million cells and any functioning means many cells acting at one time and forming what is called a pattern of action. Localization of function is only possible as to motor and visual function. Two-thirds of the cortex is silent to electric stimulation. But removal of one portion (visual area) means loss of a learned habit and the animal can be restrained.

Hence we are dealing with a functioning where the whole cortex must be considered. Animal experimentation shows the following laws of cortical functioning:

1. Nerve force tends to follow previous paths of action. Repetition means habit.

2. Any brain action shows more power than cells involved and short process cells are at least reinforcing cells. Power is drained into the path of action.

3. Man's cortex (as against apes and mammals) tends to retain patterns of action more than twenty-five minutes—the limit of rats with the trial and error method. In man this is developed at three years—a memory function.

4. Brain cortex dominates and is superior to lower levels of nerve structure.

5. Man's cortex compares and uses prior experiences or cortical actions and makes a choice. Apes do not do this.

6. In man behavior or action patterns tend to grow and develop a personality.

We are thus led into a functioning that may be called psychological. The basic facts are the unlearned

trends which divide into three main groups of instincts, viz.: Ego, Sex and Group trends. They are characterized by:

1. The deep effect on emotion accompanying their action.

2. This is so complete that it is called "all or none" action.

3. They are present without effort of learning.

The interaction of environment or education on these produces a final product called personality. There are distinct characteristic stages of growth (baby, child, adolescent and adult) which must be approached differently and have different dangers and accidents.

The place where modification can be most expected is the stage of the plastic child—especially the pre-school child. Our objective should be:

1. To train the baby to the consciousness of family, school and larger groups and help him to acquire the power of adapting himself to these groups.

2. To correct thumb sucking which means faulty mouth functioning. Regulating the length of time the baby nurses is important.

3. To control ego explosions—tantrums.

4. To guard against the occurrence of conditioned fears.

5. To overcome bad habits as soon as noticed.

6. To provide for the stage of sexual development.

7. To see that no undue notice is taken of the child's refusal of food.

8. To correct jealousy which is an evident danger.

9. To instill the "mine and thine" idea. This has an important bearing on stealing and lying.

Means for meeting these problems will prevent subsequent crippling, delinquency and inadequacy. This means coöperation and efforts of parents, schools, churches, courts and social agencies in guidance clinics for especially severe cases. In this way the child may have his full chance which we owe him.

This interesting paper was discussed by Dr. C. P. H. Kjaerbye, Dr. J. M. Frawley and Dr. G. A. Hare.

JOHN M. FRAWLEY, *Assistant Secretary*.

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LOS ANGELES COUNTY *

SOME THOUGHTS ON OUR ASSOCIATION MEMBERSHIP

"The Los Angeles County Medical Association has a membership of more than sixteen hundred, but there are at least a thousand physicians and surgeons in the county who are eligible to membership, who could and should be associated with the organization, who are not so associated. This is a low estimate.

Why are there so many outside who do not feel the need of affiliating in medical organization? Various excuses are offered, most commonly the reason being that the dues and initiation fee are too high. But are they? Let us see. By raising the initiation fee to \$100, which is now made payable *over a period of six years*, this association has been enabled to accumulate property having a potential value of at least a million dollars. Divide sixteen hundred into one million and what is a membership in real money worth—something like 600 per cent on money, the most of which has only been pledged. How many of your clubs have done anything like this? And how many of our clubs have gone bankrupt or at least assessed us heavily to keep out of bankruptcy?

And about dues! Of the \$22, \$10 goes to the state association, and for this you receive one of the most valuable journals published in America. You have the opportunity of attending annual meetings, of which for excellence of scientific work in its many sections, there are none better, except the great national meeting of the American Medical Association, of which you automatically become a member on this fee. Only those who have a contact

* The Bulletin of the Los Angeles County Medical Association, in its issue of July 5, contained the article above, by the Councillor of the District, Dr. William Duffield, and is presented in this column because of the importance of the subject.

with the working of the state organization can appreciate what the officers and committees do in so many ways to promote and protect the interests of scientific medicine—the doctor, whether or not he is a member benefits. In a future statement, we shall try to enumerate some of the activities which have come under our observation. This service is functioning every day in the year. It never ceases. Yet 50 per cent of the medical men and women of this state let another 50 per cent pay for that service—bear their burden.

Now about the \$12 that stays at home. If you are a member of a branch—say at Long Beach or Pasadena, or any other branch—(take your *Bulletin* and look up branches), you get a refund of \$5. If you live in Los Angeles city you do not get that refund, for that \$5 goes to maintain your telephone exchange, which is constantly at your service. Possibly you do not care to use it. Possibly you could use it a great deal to your advantage if you really tried it. But nevertheless, it constantly guards regular medicine.

An investigation of the expenditure of the \$7 remaining will convince even the most skeptical that the money is well spent for the interests of the membership. The accounts are carefully audited by committees and certified accountants. No salary is paid to any of the officers. You pay only for clerk hire, hall rent, postage, speakers—just the expense of running your business as a doctor, whether or not you are a member of the County Medical Association. Yes, this is a fact—every doctor in this county is guided, guarded, advised, protected by the Los Angeles County Medical Association whether or not he is conscious of that fact—be he member or outsider. These benefits can be enumerated, and probably will be in an early issue of this *Bulletin*.

Cost! Expense! It is a mere nothing in comparison with the benefits derived. For the initiation fee one has 2190 days in which to pay \$100. What club is so generous? What club is so beneficial? Long before the \$100 is paid in you will have a magnificent club building with library, museum, banquet hall, assembly halls—a joy to you, a pride to the profession. And all of the time you are receiving daily the benefits of organization.

The Real Reason.—But the real reason for the failure of so many to become members of the Association is that they *do not understand organization work and organization benefits*. They have not appreciated the word duty, obligation to themselves and their fellows. It often takes a jolt.

When war was declared in 1917 we had in Los Angeles County about 1700 registered doctors, men, women, lame, halt, blind, retired and perhaps otherwise. At that time there were about 600 members of the County Medical Association. How many outside of the organization got appointments who were not members of the Association? Some got jolts. Membership was a badge of fitness—the first evidence demanded by the government. How many men were there who were handicapped by sickness in the family or dependents or other good reason who did not want to be branded slackers and who wanted to do their duty? Who placed a badge of honor upon their breasts but that investigating committee of the Los Angeles County Medical Association?

What is the first thing asked by life insurance companies in the selection of examiners? Regular? Member of the county, state and American Medical Association? All great employees of medical service inquire *why* a man is not a member of organized medicine if he is not.

Several times it has come about that men who have remained outside the organization have desired to go abroad for study. In making their plans they have found that the fact that they were not members of the American Medical Association had disadvantages. Some of them got jolts.

Many times non-members are sued for malpractice or have some conflict with the law, often unjustly. And to whom but some committee or agency of the

Association do they turn for help? And why do they go to the Association? Because it has more power as an organization than the individual as an individual. It too often takes a jolt. Why wait for the jolt?

Not infrequently intelligent patients in search of medical service consult records to ascertain if men suggested are members of the organization. If not, what is the answer?

The above are a few of the strictly material advantages of membership in organized medicine, but the greatest advantage is in being a part of that which now and always stands as the leader of that which "promotes the science and art of medicine, protects the public health, and betters the medical profession." Nothing increases scientific medicine as much as organized effort—coöperation in research, school, hospital, community.

Our organization with its numerous section meetings, its regular general meetings, its special meetings with distinguished guests, surely is doing its part toward the promotion of scientific medicine. Are all of us reaping the benefits offered in proper measure?

It would be well to enumerate the activities of the Council and its many committees. Perhaps only a small fraction of the membership realizes the work accomplished for the good of the public and the profession in a multitude of ways. The silent work of the milk commission for more than twenty years is notable. The assistance given city, county, state and national health agencies directly and indirectly is seldom known but always of great worth. The matter of ethics, the protection of members wrongly accused, the advice in legal matters, the assistance in legislative and a host of activities are constantly functioning but seldom known to a large part of the membership.

Will you not ask for a meeting of the members of your section or branch or neighborhood with representatives of this committee to consider ways and means whereby non-members may be interested in affiliation?

Can any active medical man or woman afford to be without membership in the Association?"

WM. DUFFIELD, M. D. *Chairman,*
Committee on Permanent Quarters.

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SAN JOAQUIN COUNTY

The stated meeting of the San Joaquin County Medical Society was held Thursday evening, June 7, 1928, in the hall of the Medico-Dental Club, 242 North Sutter Street.

The meeting was called to order at 8:30 p. m. with Dr. John J. Sippy, president, in the chair. Twenty-three members were in attendance:

Doctors E. A. Arthur, S. R. Arthur, N. P. Barbour, E. L. Blackmun, Fred P. Clark, Fred J. Conzelmann, J. F. Doughty, Linwood Dozier, C. F. English, P. B. Gallegos, J. P. Hull, H. E. Kaplan, B. M. Krout, R. T. McGurk, A. H. McLeish, F. J. O'Donnell, S. F. Priestly, G. H. Rohrbacher, G. H. Sanderson, J. J. Sippy, Margaret Smyth, C. V. Thompson, G. J. Vischi, Dr. Emmet Allan, University of California Hospital, San Francisco, California, guest and speaker of the evening.

The minutes of the previous meeting were read and approved.

The Committee on Pure Milk Measures presented the following resolution, which was adopted.

Be it Resolved, by the San Joaquin County Medical Society, That this Society favors higher standards of milk production in our own community and throughout the state, and that it favors amendment of the present Pure Milk Law to the end that the sale of market milk may be restricted to grade 'A' pasteurized, guaranteed, and certified, or the equivalent of certified milk produced under proper milk inspection service.

The chair then introduced the speaker of the evening, Dr. Emmet Allan, who spoke on The Modern Treatment of Diabetes. The speaker gave a brief his-

torical review of the development of the treatment of diabetes.

Diabetes is not a clear-cut disease. We do not know the full pathology. It is a disease of metabolism very common and grave in prognosis. The relation of obesity and overnutrition to diabetes is one of the most important and practical, from the standpoint of prophylaxis and treatment. With the modern methods of treatment, the death rate has been decreased and with careful attention to treatment, the life expectancy of a diabetic patient is that of any other individual. Treatment must be thorough and the physician must realize that he has a patient who will need supervision for twenty to forty years.

The speaker mentioned the various complications that frequently occur in the course of the disease, and suggested appropriate measures for their relief. Each diet has to be individual. The basic, underlying principle of the dietetic diabetic treatment is that of under-nutrition which requires that, in addition to restriction of certain kinds of food (mainly carbohydrates), the total quantity shall be reduced. This principle is an enduring contribution to the modern dietetic treatment of diabetes. The members asked many questions which the speaker answered in a practical way.

The chair remarked that he felt sure he expressed the feelings of the society in conveying to Doctor Allan warm appreciation for his interesting talk.

FRED J. CONZELMANN, *Secretary.*

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SANTA BARBARA COUNTY

The regular meeting of the Santa Barbara County Medical Society was held at a dinner meeting at the University Club on Monday evening, June 11.

Present, sixteen members.

The application of Dr. P. A. Gray, of the Cottage Hospital, was read and referred to the Board of Censors.

The speaker of the evening was Dr. Sven Lokrantz, medical director of the Los Angeles public schools. He gave a very interesting illustrated talk on the health program of the Los Angeles public schools, with special reference to the treatment of heart diseases in children.

There being no further business, the meeting adjourned.

W. H. EATON, *Secretary.*

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SANTA CRUZ COUNTY

On June 27, 1928, the society convened at the Hotel Appleton, Watsonville, at 8 p. m., and had as its guest Dr. George Ebright of San Francisco. Doctor Ebright reviewed the important features involved in the "Routine Examination of the Patient," emphasizing many details which are frequently omitted. A general discussion of the subject followed. Dr. Ethel Watters of Santa Cruz presented case histories of a series of twenty cases of amebic infection. The variety of symptoms and physical manifestations involved in this group of cases brought out the protean character of the infection in question.

Those present were: Dr. George Ebright, San Francisco; Dr. J. Harrington, Santa Cruz. Members, Doctors Bettencourt, Eiskamp, Liles, Koda and Woodard, Watsonville; Hatch, P. T. Phillips, Randall and Ethel Watters, Santa Cruz.

SAMUEL B. RANDALL, *Secretary.*

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VENTURA COUNTY

The regular June meeting of the Ventura County Medical Society was held Tuesday evening, June 12, at Pierpont Inn.

Dr. H. E. Henderson of Santa Barbara read a paper on Atypical Pulmonary Tuberculosis in Children. This was discussed from a roentgen standpoint by Doctor Geyman of Santa Barbara.

Doctor Bianchi reported on the state meeting. Doctor Bianchi reported a fatal case of zinc stearate aspiration and presented a resolution opposed to the

household use of that article. A copy of said resolution is enclosed.

The following resolution was presented by Dr. J. Bianchi, and adopted by the Ventura County Medical Society:

Whereas, There has been a recent accidental death in this county which was directly attributed to zinc stearate dusting powder, and,

Whereas, There are many cases reported of similar accidents with a high mortality, and,

Whereas, There are many dusting powders as efficacious and without the dangerous possibilities of zinc stearate. To quote *Useful Drugs*, published by the American Medical Association, "Zinc stearate appears to have little or no advantage over zinc oxide." Therefore, be it

Resolved, That the Ventura County Medical Society go on record as being opposed to the household use of zinc stearate; be it further

Resolved, That copies of this resolution be sent to the druggists of Ventura County in the hope of getting their cooperation in discontinuing the indiscriminate sale of this product. Be it further

Resolved, That a copy of this resolution be sent to the secretary of the California Medical Association.

D. G. CLARK, *Secretary*.

CHANGES IN MEMBERSHIP

New Members

San Bernardino County.—Lyra H. George, Loma Lindo.

San Francisco County.—William J. Burkhard, J. Underwood Hall, Thomas J. Lennon, Adolph E. Schmidt, San Francisco.

San Mateo County.—Edward F. Ziegelman, San Mateo.

Santa Barbara County.—Percival A. Gray, Jr., Santa Barbara.

Transferred Members

Herbert Z. Willis, from California to Nevada Medical Association.

Resignations

Leonard H. Greenbaum, Los Angeles.

Priestley P. Osburn, San Diego.

Deaths

Bell, George. Died at Fair Oaks, California, May 12, 1928, age 65 years. Graduate of Toronto University Medical Faculty, Canada, 1888. Licensed in California, 1918. Doctor Bell was an affiliate member of the Sacramento County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.

Brainerd, Henry Green. Died at Pasadena, July 22, 1928, age 76 years. Graduate of Rush Medical College, Chicago, Illinois, 1878. Licensed in California 1887. Doctor Brainerd was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association. President California Medical Association 1922-1923.

Carpenter, Frank Benton. Died at Logan, Utah, July 16, 1928, age 70 years. Graduate Columbia University College of Physicians and Surgeons, New York. Licensed in California, 1885. Doctor Carpenter was a member of the San Francisco County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.

Nagy, Andrew. Died at Palo Alto, June 23, 1928, age 43 years. Graduate of College of Physicians and Surgeons, San Francisco, 1919. Licensed in California, 1920. Doctor Nagy was a member of the San Francisco County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.

Tucker, William Grant. Died in April, 1928, age 60 years. Graduate of Medical Department University of Michigan, 1892. Licensed in California, 1895. Doctor Tucker was a member of the Siskiyou County Medical Society, the California Medical Association, and the American Medical Association.

UTAH STATE MEDICAL ASSOCIATION

WILLIAM D. DONOHER, Salt Lake.....President
H. P. KIRTLEY, Salt Lake.....President-Elect
M. M. CRITCHLOW, Salt Lake.....Secretary
J. U. GIESY, 701 Medical Arts Building, Salt Lake.....Associate Editor for Utah

NEWS

We welcome Dr. William Donoher—the past year president-elect—to his new station as president of the State Association. And we ask the coöperation of all members and units of the Association towards a hearty effort to make his work easy and the progress of the Association during the coming year, not only as good but better than in the past. Here's to "Bill" Donoher. May he have a fairway with no great hazards and may he keep out of the rough. Fore! for the next twelve months.

And he's going to be followed by another good man. We congratulate and in a measure sympathize with Dr. H. P. Kirtley in his selection as president-elect. A notice of this catastrophe for "Pat" and this advantage for the Association in 1929 follows, along with a listing of other officers chosen for the next year before the close of the state meeting June 30.

And in passing we want to extend our good wishes to Dr. M. M. Critchlow, now selected as secretary. Maurice has so long and so faithfully served the Salt Lake Medical Society in the capacity of secretary that we know what his service will be to the state body.

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Kirtley Heads Utah Doctors.—The thirty-fourth annual convention of the Utah State Medical Association was formally brought to a close Saturday night with a banquet at the Hotel Bigelow, following the election of officers. President William D. Donoher, Salt Lake, took the gavel from the hands of Eugene H. Smith, Ogden, who has guided the medical men through the last year.

H. P. Kirtley, Salt Lake, was chosen president; E. R. Dumke, Ogden, was elected first vice-president; J. W. Aird, Price, was elected second vice-president, and R. A. Pearse, Brigham, was chosen third vice-president.

M. M. Critchlow, Salt Lake, was chosen secretary and E. D. Lecompte, Salt Lake, treasurer. J. R. Morrell, Ogden, was retained on the Board of Councilors, and F. A. Goeltz, Salt Lake, and C. E. McDermis, Castlegate, were elected to succeed John C. Landenberger, Salt Lake, and Joseph Hughes, Spanish Fork.

Sol G. Kahn, Salt Lake, was chosen as delegate to the American Medical Association, and E. M. Neher, Salt Lake, was elected alternate.

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The Salt Lake County medical profession were fortunate in having Dr. Harry Spiro with them just before the opening of the regular state convention at Ogden.

On the afternoon of June 28, Doctor Spiro conducted a clinic at the Salt Lake General Hospital, for the benefit of those who were able to attend. This was a Cardiac Clinic with material drawn from hospital cases on hand.

In the evening there was a special meeting of the Salt Lake County Medical Society in the lecture room of the Medical Arts Building, at which Doctor Spiro presented a very complete and interesting paper on the subject "The Importance of X-Ray Examinations of the Heart from Different Angles, as a Means of Diagnosing Various Valve Defects."

All component societies of the state association, having suspended regular meetings for the summer period, leaves Ye Editor without anything to report. Recently, however, we have carried reports from Utah and Weber organizations as well as from Salt Lake.

If Cache County and Box Elder will furnish regular reports they can make the list complete and show their good fellowship.